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HENRY W. HILLIARD.

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TO

THE HONORABLE WILLIAM C. PRESTON,
OF SOUTH CAROLINA.

MY DEAR SIR,

A grateful recollection of your many acts of kindness extended to me during my course in the South Carolina College, while preparing to enter upon the walks of life which you already adorned, and the cheering encouragement which you gave me when engaged in the study of a profession which your eloquence has so nobly illustrated, inspire the wish to leave some recorded expression of my exalted estimate of your genius and your character, and I therefore

Inscribe to you this Volume of my Speeches.

HENRY W. HILLIARD.

Montgomery, Ala., February, 1855.

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THE SUB-TREASURY SYSTEM.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF ALABAMA,
JANUARY, 1839.

The Resolutions being under consideration, and after Mr. Smith, of Madison, had addressed the House, Mr. Hilliard rose and said,

MR. SPEAKER,—When I survey the magnitude of the question before us, and observe how deeply it affects the public mind, I experience a sense of responsibility which is almost painful. I am about to participate in a discussion which has convulsed the whole country, which involves the largest interests of the people of the United States, and which must yet exert a powerful influence, for good or for evil, upon their fortunes.

We are, sir, in the midst of a revolution; not a revolution conducted by arms, and accomplishing its purposes by the shedding of blood, but a revolution in the opinions and feelings of a great people; a revolution, not the less to be feared because it does not now call physical force to its aid, for it is moving the foundations of society, and it is impossible to say where its waves shall be stayed.

Every thing established and venerable is threatened with destruction; all that wisdom has approved

is assaulted; the most revered lessons of experience are despised; all must bow before that spirit of change which delights in nothing so much as experiments upon human society.

I look with the most unaffected anxiety upon the present condition of our country. It seems to me to bear a strong resemblance to that which the French nation exhibited before the breaking forth of that convulsion which shook their ancient institutions with such terrible and destructive power. Every philosophical inquirer consents to the opinion that the writings of Voltaire and others of his school precipitated that nation into its unparalleled revolution. Mariners are accustomed to judge of the state of the elements by very small signs. The flight of the sea-bird over the mast, cleaving the air with its rapid wing, is regarded as an admonition to prepare for the gathering storm; and when this solitary messenger, hurrying before the fury of the tempest, is driven far upon land, the sailor's wife utters a prayer for his protection, for she knows that the hour of his danger is at hand. Let us apply the same philosophy, for it is a wise one, to the affairs of our country. Appeals are daily made to the worst passions of the people, and men, for selfish purposes, attempt to create artificial and dangerous distinctions in society, and to array one class against another class. A want of respect for the laws is constantly manifested, and that deep veneration for our institutions which once characterized us as a people is rapidly passing away; that uncalculating attachment to the country and all that belongs to it, which may well be styled "the

cheap defense of nations," is losing its power. While I speak, sir, the Capitol of one of the states of this Union is held by an armed mob, the representatives of the people have been expelled from their seats, and the governor has been compelled to order out the military force of the state to restore order. These are indications of an unsound state of the public mind; they are the small signs which precede the coming storm. Those who are engaged in the work of disturbing the order of society should remember that they may call up spirits which will not go down at their bidding. Neptune may be roused to shake the sea and land, but it may not be easy to prevail on him to wave his trident, and restore tranquillity and sunshine. I am satisfied that a perseverance in these disorganizing efforts will, in time, involve us in the utmost confusion and anarchy. Standing, then, where I do, the representative of a free and intelligent people, honored with their confidence, and anxious to discharge faithfully the trust reposed in me, I feel it to be my duty to meet every question of public interest with a full and candid expression of my views. The scheme which the resolutions under consideration propose to sustain is one of those which contemplates fundamental and serious changes in our political affairs. I shall endeavor to bestow upon it that calm and fair consideration which its importance deserves. All great questions ought to be examined with candor; mere party considerations should sink; and we should search for truth under the guidance of a broad and enlightened patriotism. Discussions conducted in this spirit are not idle exhibitions; they

are contests in which error is beaten down. The halls of deliberative assemblies are battle-fields upon which the rights of mankind have been vindicated and set up, and the stormy debates with which they resound have shaken thrones and made kings turn pale with fear. We have been charged with a disposition to avoid this contest. I, sir, disclaim any such inclination. I may be so unfortunate as to err in opinion; I may find myself unsupported here, but I shall not avoid discussion. I claim no forbearance, I ask no quarter. I have always admired the conduct of Camillus, when, upon his return to Rome, he found his countrymen counting out gold to their enemies as the price of their liberty: he interrupted the inglorious negotiation, and, striking his hand upon his sword, said "that the liberty of his country must be bought with steel, and not with gold." Sir, the principles which I hold, in common with other gentlemen upon this floor, can live in the midst of battle; they will survive it; they will come out of it strengthened by the conflict.

As to the spirit with which I enter into this debate, I am sure that I claim nothing more than what is due me when I say that I seek only to know what system is best for my country.

When I become satisfied that I have found it, I shall, without any ostentatious display of patriotism, give it my hearty support, without stopping to inquire as to its paternity. Indeed, as to the plan proposed by the President of the United States, and so warmly commended by the gentleman from Madison, it would be no light task to undertake to ascertain its

paternity. It is said that seven cities contended for the honor of having given birth to Homer :

“Smyrna, Chios, Colophon, Salamis, Rhodes, Argos, Athenæ,
Orbis de patria certat, Homer tua.”

I think there are as many aspirants to the equivocal honor of having given birth to the sub-treasury scheme—or, if gentlemen will pardon me, I will say the constitutional independent treasury scheme. That, I believe, from the latest advices, is the approved name which its friends have bestowed upon it.

I am aware that it is most industriously attempted to appropriate to Mr. Calhoun the honor of having originated it; there must, however, rest upon the minds of his friends some painful doubts.

In looking over a small work, written by Mr. Galatin in 1830, upon banks and currency, I find the following paragraph :

“It must, at the same time, be acknowledged, that inasmuch as the revenue may be collected, and the public moneys may be kept in public chests, and transferred to distant places without the assistance of banks, and as all this was once done in the United States, and continues to be done in several countries, without any public bank, it can not be asserted that those institutions are absolutely necessary for those purposes, if we take the word ‘necessary’ in that strict sense which has been alluded to. All this may be done, though with a greater risk, and in a more inconvenient and expensive manner. Public chests might be established, and public receivers, or sub-treasurers, might be appointed in the same places where there are now offices of the Bank of the United

States, and specie might be transported from place to place, as the public service required it, or inland bills of exchange purchased from individuals."

Here is a sketch of the plan.

Mr. Calhoun was too warm a friend to the Bank of the United States to employ his powers in originating any system which should render the government independent of it; and a plan so wild as this—so unsuited to the habits and interests of our people—could have found no favor in his eyes so long as there remained the least hope of sustaining that splendid institution. It is idle to search his speeches—to call up any thing which fell from his lips, with the hope of discovering some evidence which may persuade the world that he favored this system at an early period. The sensation caused by the intelligence that he had signified his approbation of it when proposed as an executive measure, sufficiently contradicts it. General Gordon is supposed by some to be the author of the scheme. He certainly introduced it to the attention of Congress, not with any hope of its adoption, but as a test of the strength of the deposit system. It is worthy of remark, that the measure was voted down by the friends of Mr. Van Buren, the very gentlemen who now hold it forth to the country as the wisest and purest scheme which has ever been exhibited, and denounce with fierce zeal all who are unable to perceive its beauties or comprehend its merits. The plan is said to have been presented to General Gordon by Condé Raguet, who comes in for his share of the honor of its production. He finds a competitor in the late President of the United States, who

presented the scheme to the world in a letter to the "Globe." But I believe that public opinion inclines to lay the system at the feet of Mr. Benton as his own fairly-begotten offspring; and, sir, I agree fully with some one who declares that if the project possesses half the excellence claimed for it by its friends—if it is so replete with blessings to the American people, then its author, Thomas Hart Benton, deserves from their hands a statue of gold. But the gentleman from Madison assigns to it a much earlier birth; he believes that the framers of the Constitution contemplated it.

I shall not, sir, attempt to settle these conflicting claims. No matter where the scheme originated, it seems to me to come in a most questionable shape. From my political relations to Mr. Van Buren, I certainly was not prepared to look upon any proposition made by him with very partial eyes, but I trust that I was able to survey his measures with some fairness and candor. When I first read the message of the President of the United States, proposing to Congress the adoption of the sub-treasury scheme, I was in a small village distant from my political friends. Uninfluenced by the uttered sentiment of a human being, I calmly examined it, and pronounced it at once to be a system that looked to the establishment of a colossal despotism. I have reviewed it since—I have bestowed upon it much reflection; but the first impression has deepened; my sentiments respecting it are unchanged.

I am not insensible, sir, to the disadvantages to which I am subjected by this opinion. I am aware

that it leaves me still in a minority. Let it be so. I have too long acted with a minority to experience any uneasiness in my position. I shall remain there until the ever-shifting tide of human affairs sweeps numbers to my side. I should be unworthy to sit here as the representative of an enlightened and magnanimous people if I could permit myself to be moved by any array of hostile numbers, or seduced by the hope of acquiring honors.

I see that the strictest party training is going on. I know that a proscriptive spirit is rising. Every appeal that can be made to human motives is urged, and names, supposed to be of bad odor, are freely bestowed upon those who have the firmness to oppose the administration. Sir, names can never affect principles or change positions. Ingenuity may coin them, and effrontery apply them, but the actual relations of life remain the same. I am what I have ever been. In very early life I imbibed a deep attachment for free principles, from the very nature of my studies. It is impossible for any one to read the history of the contests for popular liberty which have shaken the world—to see the great standard sometimes rising, and again sinking under the blows of power—without becoming deeply devoted to the cause of mankind. The feeling thus inspired has grown with my growth, and strengthened with my strength. My views of the political questions which concern our own country alone were formed in a state which is renowned for its attachment to the great principles of liberty, and whose people possess, in a degree unsurpassed in ancient or modern times, all those lofty

qualities which ennoble man. I mean, sir, the State of South Carolina.

It is not a little singular that the first speech to which I ever listened in defense of the State Rights doctrine was made by the distinguished gentleman from Madison. He was at that time a member of the South Carolina Legislature. His fame was ripe; his name was a tower of strength; and he fully sustained his reputation by a powerful exhibition of those peculiar political principles for the defense of which that patriotic state has since become so distinguished. I was a boy, leaning from the gallery, and listening with eager ear to the debate. The impression then made on me has never passed away. The gentleman alluded to was sustained on that occasion by a young and ardent man, rich in gifts and in promise, the morning of whose fame was darkened by sudden and eternal gloom. I speak of Mr. Nixon. I shall be indulged while I pay a tribute to his memory. Young and highly talented—surrounded by devoted friends, who predicted for him a glorious career—he had but started, when he was called out to that field which has so often proved fatal to genius and worth. He fell in a duel at Augusta. Like the young Greek in a chariot-race, who falls by the hand of an enemy when springing from the starting-point, so fell Nixon.

Well, sir, from that hour to this I have entertained for the distinguished gentleman who now occupies a seat on this floor the profoundest respect. I feel the most unaffected regret in being compelled to differ with him now. He is in the camp of our ene-

mies, but I can not forget his past services. He will pardon me for comparing him with Coriolanus. It is well known that this distinguished Roman general, after he had rendered the most important services to his country, and acquired the amplest honors, left his native city, took up his residence among its ancient enemies the Volsci, and even led them armed against it. Indeed, he would have leveled its walls, and have thrown open its palaces to be plundered by the hostile hosts at whose head he marched, had not a mother and a wife come forth, and moved his stern purpose by their tears. We can make no such appeal to the gentleman who now marches at the head of our enemies against a citadel filled with his ancient friends and allies. We can only point him to that time-honored banner which floats over us, in defense of which I have seen his sword flash in the thickest and hottest of the fight, while engaged with us in repelling the Volsci, whom he now leads.

I hold, sir, to-day, the same political principles which I held then, and I can not be affected by any party name which may be applied to those principles, nor can I be seduced into the support of the measure under consideration because it *professes* to be Republican. Epithets should be applied with great caution. Gentlemen quite as ardent in support of peculiar measures as the friends of this question now are, and possessing quite as much political information, have been known to abandon their theories and change their opinions. In looking over some of the state papers connected with the events of 1810, I find an able argument in favor of a National

Bank presented to Congress in the shape of a petition.

By whom, sir, would you suppose that this petition was written? Who enjoyed the honor of placing his name to it as the first signer? CONDY RAGUET. Will it be credited? I find, too, at a later period, Mr. Calhoun, Mr. Forsyth, Mr. King, our present senator in Congress, and other distinguished gentlemen classed with the Republican school, voting for the re-charter of that institution which has since become the subject of such deep and loud denunciation. This is surely enough to check the impetuous zeal of gentlemen. It is a strong admonition to forbear. Sir, I deplore the intolerant spirit which I every day see manifested. Intolerance is hostile to every thing good and great; it is utterly inconsistent with the spirit of freedom. As an Irish orator said of bigotry, "She has no head, and can not think; she has no heart, and can not feel." The great business of intolerance is to accomplish party purposes at any sacrifice.

I heard the argument of the gentleman from Madison with pleasure. I am always pleased to listen to the *history of my country*, whether the story relates to her battles or her politics, and the gentleman has glanced at both. It will not be expected that I should attempt a regular reply, as the argument, though diffuse, consisting sometimes of narrative and sometimes of panegyric, sometimes unfolding the secrets of early cabinets, and sometimes recounting the deeds done upon the battle-field by the soldier, or upon the sea by the sailor, was aimed chiefly at a National Bank. Upon that subject I have but little to say.

The first resolution presented by the gentleman proposes to *instruct* our senators and request our representatives in Congress to vote against the re-charter of the United States Bank, or any similar institution.

The responsibility of the representative to his constituents has been recognized in every republican government. It grows out of their relations, and must ever exist. Yet it is to be feared that the rights and duties which belong to the connection are often misunderstood or abused—that the representative becomes insensible to the influence of lofty and noble considerations, and sacrifices his deliberate judgment to the servile fear of giving offense. This subject is strongly presented by Edmund Burke, whose great, enlightened, and philosophical mind comprehended every subject which it surveyed, while his resplendent and varied eloquence illustrated and adorned it. In his address to the electors of Bristol, he says, “It is the duty of the representative to sacrifice his repose, his pleasures, his satisfactions to his constituents. But his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living. They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you, not his industry only, but his judgment, and he betrays, instead of serving you, if he sacrifice it to your opinion.”

He adds again, “If government were a mere matter of will upon any side, yours, without question, ought to be superior. But government and legisla-

tion are matters of reason and judgment, not of inclination. And what sort of reason is that in which the determination precedes the discussion; in which one set of men deliberate and another decide; and when those who form the conclusion are perhaps three hundred miles distant from those who hear the arguments?"

These are just and noble views, and it will at once occur to you what is the true relation of the representative to his constituents. He is bound by the highest moral obligations to respect their wishes and to obey their will when their sober and matured judgment has been ascertained.

It is, then, upon this acknowledged responsibility of the representative that the doctrine of *instruction* rests, and we are called upon now to exercise this right.

Sir, I will not question the *right* of the Legislature to instruct their senators in the Congress of the United States. It is the Virginia doctrine, and has received the sanction of the great body of the Republican party, though never recognized, I think, in South Carolina. It must, however, occur to any one who has bestowed attention on the subject, that the connection between the representative and constituent is, in this instance, a peculiar one, and must be controlled by considerations which do not apply to that relation generally. It is a right which the Legislature should rarely exercise, and the occasion which demands it ought to be extraordinary. I doubt if such occasions occur once in twenty years. The Senate of the United States is organized upon a plan

calculated to give it stability and independence. That body, it was supposed, would be composed of men possessing intellectual and moral qualities of the highest order; and it was the aim of the Constitution to insure in that branch of the government a fixed and steady policy, to protect the exercise of an enlightened and independent judgment, and to encourage the influence of lofty and expanded considerations. One third of that body is chosen every second year, so that much the larger portion consists of those who are familiar with its business, and interested in its policy. It will be remembered, too, that while representatives are chosen for only two years, senators are elected for six. Sir, there must have been some design in this. The one body is intended to act as a check upon the other. In the representative branch of the national Legislature, every popular feeling, opinion, and even prejudice is expected to be felt and exhibited; coming from the great body of the people, directly responsible to them, and holding office for so brief a season, they are supposed to feel sensitively, and to reflect most faithfully, every fluctuation in public sentiment. But the waves of popular commotion, which will sometimes, in the purest republics, and among the most generous people, rise too suddenly and mount too high, are expected to dash and break at the feet of a calm and unmoved Senate. I am supported in this opinion by the highest authority. I have before me the "Federalist"—universally acknowledged to be an able and faithful commentary on the Constitution. It is well known that its design was to exhibit the true meaning of the several

provisions of the Constitution, and to urge its claims upon the people, while the question of its adoption was pending. Of its authors it is necessary to say nothing; it is enough to name them—Mr. Jay, Mr. Hamilton, and Mr. Madison. I will take the liberty of reading to the House a few words in relation to this particular subject:

“The necessity of a Senate is not less indicated by the propensity of all single and numerous assemblies to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions. Examples on this subject might be cited without number, and from proceedings within the United States as well as from the history of other nations. But a position that will not be contradicted need not be proved. All that need be remarked is, that a body which is to correct this infirmity ought itself to be free from it, and consequently ought to be less numerous. It ought, moreover, to possess great firmness, and consequently ought to hold its authority by a tenure of considerable duration.

“The mutability in the public councils, arising from a rapid succession of new members, however qualified they may be, points out, in the strongest manner, the necessity of some stable institution in the government. Every new election in the states is found to change one half of the representatives. From the change of men must proceed a change of opinions, and from a change of opinions a change of measures. But a continual change even of good measures is inconsistent with every rule of prudence

and every prospect of success. The remark is verified in private life, and becomes more just, as well as more important, in national transactions."

But, sir, this view is presented still more strongly in a succeeding number :

"Thus far I have considered the circumstances which point out the necessity of a well-constructed Senate only as they relate to the representatives of the people. To a people as little blinded by prejudice or corrupted by flattery as those whom I address, I shall not scruple to add that such an institution may be sometimes necessary as a defense to the people against their own temporary errors and delusions. As the cool and deliberate sense of the community ought in all governments, and actually will in all free governments, ultimately to prevail over the views of its rulers, so there are particular moments in public affairs when the people, stimulated by some irregular passion or some illicit advantage, or misled by the artful misrepresentations of interested men, may call for measures which they themselves will be most ready to lament and condemn. In these critical moments, how salutary will be the interference of some temperate and respectable body of citizens, in order to check the misguided career, and to suspend the blow meditated by the people against themselves, until reason, justice, and truth can regain their authority over the public mind ! What bitter anguish would not the people of Athens have often avoided if their government had contained so provident a safeguard against the tyranny of their own passions ? Popular liberty might then have escaped the indelible reproach

of decreeing to the same citizens the hemlock on one day, and statues on the next."

Surely, sir, no one can doubt that the great object sought in organizing the Senate was to render it stable and independent. It was expected that the immediate representatives of the people would yield to any commotion, but it was intended that senators should stand firm until the storm had passed away, and the heavens were clear, and the form of Truth visible to all eyes. But, sir, if you instruct your senators in every instance, upon every occasion, small and great, you had better at once repeal that provision of the Constitution which secures to them their seats for six years, and make them really dependent on and submissive to you by electing them but for two. You change the form of our government, by destroying that very stability and independence which it was intended should be found in the Senate, if on all matters you legislate for your senators, forward to them peremptory instructions, and force them to obey your wishes or resign.

I hope that I shall not be misunderstood in my views of this subject. I do not deny the right to instruct; I am only throwing about it the guards and checks which ought to surround it. I shall never consent to instruct a senator in Congress unless the occasion be one of extraordinary danger and importance. I solemnly protest against the abuse of this right; I solemnly protest against the practice of bringing every *party* question to bear upon the deliberations of the United States Senate. Sir, has the mature sense of the people of Alabama, in rela-

tion to the measure now under consideration, been ascertained? Has it in any way been made known? No, sir. And how will a magnanimous people regard us, if we show ourselves so eager to "bend the supple hinges of the knee" as to anticipate their action, and pledge them to the support of a measure which they have never yet sanctioned, and which I trust they never will sanction? Gentlemen mistake the people of this country if they hope to excite their admiration or secure their confidence by displaying such inglorious zeal in approving every scheme proposed by those in power. I am not prepared to make known the sentiments of the people of our state upon this subject. The great body of them have never entertained it; and if, in some parts of the country, the measure has found favor, public opinion there can be revolutionized by bringing the system upon the open field of free and bold discussion. I shall not, sir, approach the Senate of the United States with the small clamor of a few party leaders, and endeavor to persuade that body that it is the voice of a state which they hear. No, sir; first let the state speak. Is there the slightest danger that our senators will vote for a re-charter of the United States Bank? There is no such proposition before Congress, and it is well known that body will presently adjourn. Where, then, is the necessity for any instruction on the subject? Why must these resolutions be pressed through with such hot haste, and forwarded to Washington City? Because gentlemen entertain the apprehension that our senators, whose sentiments are well known, and whose partisan fidel-

ity no one doubts, may be seduced into the support of a proposition, not yet made, to re-charter a Bank of the United States. And are we called on, for this, to exercise the solemn right of instruction? No, sir; there is another object. This hue and cry about a National Bank is intended for effect. It is the beat of the reveille, rousing partisans from their slumbers when no enemy is in the field. It is the standard dipped in blood and flame, that it may dart through the country and assemble the clansmen—that it may call up the faithful from the mountain fastnesses of the North—from the level plains of the South, and from the broad but distant sea-board. A party gathering is desired; gentlemen who do not like the sub-treasury scheme are to be prevented from scrutinizing its odious features by the cry, which is ever thundered in their ears, of “A NATIONAL BANK!”

I do not believe that any plan is on foot to establish a National Bank; the country is not asking for it, and the subject would sleep if it were not for the rising zeal of those who profess still to dread its power, and who seem to regard it as a monster over which a spell has been thrown by an incantation, through whose force it may yet break, and rouse itself like a giant refreshed with wine. These are the men who keep the question alive, and who find it very effective in their system of party training.

I heard with pleasure the eloquent tribute paid by the gentleman from Madison to General Jackson as a soldier. He certainly deserves great praise; and whether we contemplate him pursuing the Indians through the wilderness, driving them to the cover of

their gloomy swamps, braving the deadly rifle and the glittering tomahawk, or planting himself in front of a numerous, civilized, and disciplined army, accustomed to war, and fresh from lately-won fields, he excites our admiration and our gratitude. Let him be crowned with the honors which he has earned. Tranquil may his old age be!

But I do believe that he was led into very erroneous and dangerous views of the relations of the states to each other, and to the general government.

I confess myself, too, unable to comprehend the precise connection between General Jackson's military services and the question of a re-charter of the United States Bank. The gentleman from Madison has interwoven them, and has painted at one moment his favorite hero encamped in the woods, subsisting on acorns and parched corn, and, at another, has sketched the dangers which belong to that institution which still disturbs his repose, and presents visions to his fancy as startling and appalling as those which shook Lochiel upon the eve of battle. He will pardon me if I do not feel the force of his reasoning.

Other distinguished gentlemen, who have fallen in with the present scheme of the administration, were once friendly to a National Bank. I do not doubt but that with many the change of opinion has been very sincere.

I have already alluded to Mr. Calhoun's well-known sentiments, and the name of one of our present senators in the Congress of the United States, a gentleman of great worth, might be added.

A gentleman now high in office in this state, when

but a few years since a member of this House, was not satisfied with voting against a resolution condemning the United States Bank, but spread his protest on the journal, and recorded his opinion in favor of the absolute necessity for such an institution.

But, sir, the aspect of this question has wholly changed, and the condition of the country is widely different from what it was a few years since. Then the bank was in successful operation, and was regarded by many most able and distinguished men as absolutely essential to the country. So thought Mr. M'Duffie, a sound constitutional lawyer, and a statesman of extraordinary ability. A committee, of which he was a member, visited Philadelphia in 1832, clothed with full power to examine into the state of the bank. Mr. M'Duffie and some others, dissenting from the report of the majority of the committee, submitted a counter report urging its re-charter.

The popularity of the bank, and the sense of its importance, was even increased by the removal of the deposits and the events which succeeded.

But, sir, the aspect of the question is now changed, as I before remarked. The country is rapidly accommodating itself to its circumstances. There has been a vast concentration of capital in New York. In Philadelphia, the Bank of the United States is operating extensively. Mr. Biddle himself would no doubt resist the attempt to create a National Bank. Let us now make suitable arrangements for an ample and sound circulation in the South, and the country is independent of such an institution.

The gentleman from Madison remarked severely on

Mr. Biddle's entering the cotton-market. This is the very last objection which I should make to him. It increases the demand for our staple commodity, and he can control it but in one way—by bidding more for it than any other purchaser. I am sorry to learn that his operations in this way are to be less extensive in future.

But, sir, I will dwell no longer on the Bank of the United States. The instructions proposed to be given to our senators respecting it are uncalled for; it is a mere party maneuver, gotten up for selfish purposes, and I shall not in any way lend it my aid.

We are called on too, sir, to support that system which proposes to collect the public dues in gold and silver. I can not aid in fixing such a system upon the people of the United States. I have already expressed my deliberate opinion upon the subject in the resolutions which I had the honor to propose for the adoption of the Legislature, one of which declares that Congress ought to pass no law prohibiting the reception of the notes of specie-paying banks in discharge of the public dues.

There is no necessary connection between specie and property. The precious metals were very early selected to represent things really valuable, because of their scarcity, their durability, their uniformity of value, and other qualities which render them a convenient agent in commercial transactions. But, sir, will it be denied that, when society advances, when the wants of men become more numerous, and their transactions more complex, they are at liberty to substitute some more convenient representative of prop-

erty? Surely not. It would be most absurd to attempt to restrict them to the use of the precious metals. I beg leave to borrow the opinion of a distinguished gentleman in South Carolina—Mr. Petigru. In a speech of great force which he delivered upon this subject in the Legislature of that state, he remarked :

“When we speak of a measure or standard, we refer to fixed and definite proportions, which are equally certain and unchangeable ; but when we speak of the precious metals as a measure or standard of value, we use the terms in a vague sense, as expressive of the *use* of the precious metals, but not of any quality that is inherent in them.”

This is a doctrine perfectly well understood by every commercial nation on the globe, and, sir, it is a most useless enterprise to undertake to persuade the people of this country to abandon it.

Nor, sir, will you be more successful in persuading them that the framers of the Constitution of the United States intended to prohibit the employment of some other than a metallic circulation. They were too enlarged in their views, too comprehensive in their mode of thinking, to attempt to fasten a specie currency upon this country. I am unable to conceive how gentlemen reach the conclusion that the reception of bank bills in discharge of public dues “is a plain and palpable violation of the Constitution.” It was not intended that any thing but gold and silver should be made a *legal tender* in payment of debts. The power is expressly denied to the STATES, and the general government has no control over individual contracts. But it is any thing else

than a strict construction of the Constitution to infer from this that it intended to forbid the use of all money except that supplied by the precious metals. If it had intended this, it was very easy so to have declared it in express terms.

The Constitution has provided a standard of value, to remain unchanged, and to which every other representative of property may be reduced at the pleasure of the creditor. But it has gone no farther; it leaves the government and individuals at liberty to employ any circulation which their wants may demand, and to receive whatever they may choose to select in discharge of claims which they hold.

It is most strange that at this day a different construction should be put on the Constitution, and that an effort should be made to break down the banking system. Let us recur to Mr. Calhoun's views of the powers of Congress over the currency in 1816.

In his speech on the Bank Bill at that time before Congress, he says, "The only object the framers of the Constitution could have had in view in giving to Congress the power to coin money, regulate the value thereof, and of foreign coin, must have been to give a steadiness and fixed value to the currency of the United States." He is said by a distinguished statesman to have insisted that the state of things existing at the time of the adoption of the Constitution afforded an argument in support of his construction. Mr. C. remarked farther: "For gold and silver coin are not the only money, but whatever is the medium of purchase and sale; in which bank-paper alone was now employed."

Sir, this is undeniably true at this time; and, if so, what apology can the government offer to the people for rejecting bank paper? If it be money for the *people*—if the circumstances of the country have called it into being, and have given to it its present circulation, by what reason can it be shown that the *servants* of the people ought not to receive it? Congress, most certainly, ought not to pass any law prohibiting the reception of paper convertible into specie, in payment of dues to the government. Such a measure would neither be in harmony with the spirit of our institutions, nor friendly to the interests of our people. It would resemble more the edicts of the tyrant, who invented means for making the people feel the iron pressure of his power, and who sought, by destroying their prosperity, to break their spirit. Where is the necessity for such a measure? From whom do you demand gold and silver? From the PEOPLE. To pay whom? OFFICERS—the very servants of the people. But, sir, the servitude is in the name only; in all else they are princely. In the ordinary intercourse between man and man, paper will answer as a medium of exchange; but when a sleek and salaried officer is to be paid, the man who earns his daily bread by the sweat of his brow and the labor of his hands must search for glittering coin, and must buy it, whatever inconvenience or expense it may cost to obtain it. Sir, a plain man, engaged in his daily avocations, and called on for a tribute of this kind by a courtly government collector, would be affected by it very much as Hotspur was by the demand for his prisoners.

Sir, this scheme will never do ; it is unsuited to the latitude of the United States. I solemnly protest against the measure in the name of the people. I protest against it in the name of those whose interests gentlemen profess such an anxiety to guard. I shall to the last resist a measure which proposes to fasten upon them an odious and heavy tax, and to bind upon their necks a yoke not the less galling because it is made of gold or of silver, and not of iron. But it is contended that, by creating a strong demand for the precious metals, and excluding paper, the country will enjoy an abundant supply of gold and silver. This view is urged upon us by those who regard the absence of a large supply of gold and silver coin as a great evil, but the opinion is a mistaken one. Mr. Galatin's opinion on this subject is entitled to weight, and he says, "With the greatest abundance of provisions, it is impossible for a new country to purchase what it does not produce unless it has a market for its own products. Specie is a foreign product, and, though one of the most necessary, is not yet always that which is most imperatively required. We may aver from our own knowledge that the western counties of Pennsylvania had not, during more than twenty years after their first settlement, the specie necessary for their own internal trade and usual transactions."

It by no means follows that the banishment of bank paper will insure the presence of gold and silver. You may, like the western counties of Pennsylvania, have neither paper nor coin. Sound bank paper will not expel coin.

But, sir, if we should admit all that the advocates

of a hard-money currency contend for—if, by dishonoring bank paper, the quantity of gold and silver in the country would be increased, this would not produce a corresponding increase in its wealth. The country might be flooded with the precious metals, and yet be poor. They are unproductive in themselves; they are not wealth, but only a means of wealth.

This opinion corresponds with those long before expressed by Dr. Franklin.

It is a gross though common error to mistake the signs of wealth for wealth itself. Indeed, the great objection to the measures of the present administration is, that they are too narrow in their scope; they leave out of view the great moral causes which ought to rank first in a country's resources; it has begun a retrograde march in civilization, and is striving to introduce into this young, wide, and rapidly-growing nation systems long since rejected by every people who have grown great and important. It is devising means to curb the spirit of enterprise in the American people, and to reduce us to the cold and barren condition of semi-barbarian nations. Compare France with Great Britain. France is said to possess about four hundred millions of dollars of specie. Now, sir, travel through France: you may admire her vine-covered hills; you may be pleased with the characteristic politeness of her people; but what great works meet your eye? Where will you find a magnificent system of improvements to delight you, and to remind you of the century in which you live? You shall find nothing of all this. But pass into

Great Britain, and you seem to have strode into another century—you almost realize some of the dreams of Aladdin. Look at her shipping—look at her manufactories—look at the moral grandeur of the nation.

There exists at this moment a strong demand for more bank paper in our own state. In support of this, I appeal to the gentleman from Marengo, who, though devoted to the administration, and a warm advocate of its schemes, a few days since introduced to this House a petition for the charter of a bank in his neighborhood, which has commenced its issues without, I think, a dollar of specie; and so numerous were the petitioners, that, as the messenger bore it to your table, it hung like a mantle about him. The direct tendency of the sub-treasury scheme is to break down the banking system of this country. By rejecting bank paper, and by requiring all public dues to be paid in gold and silver, a strong and steady demand is created for coin. When it is once understood that specie will answer certain valuable purposes which bank paper will not, gold and silver will become an article of trade; they will be regularly bought and sold at their market value.

The demand can be supplied only by purchasing the article from individuals who speculate in funds, or by presenting bills at the counters of the banks which issued them, and demanding specie.

It is idle to hope that the banking system can be sustained under the operation of such a measure; its prostration would be inevitable. The government would maintain an attitude of direct hostility to the banks; it would put dishonor upon their bills by re-

jecting them; and would, by its example, encourage individuals to pursue the same narrow, selfish, and destructive policy.

Credit is sensitive; confidence is essential to it; and if it is withheld by the government, it can not exist. I do not deny that there may be evils connected with the banking system as it is at present conducted. It may be abused. If so, amend it; take hold of it, and improve its structure, but do not consent to destroy it. Do not lend your aid to the support of a scheme which, while it promises to deprive the banks of their power to do evil, at the same time robs them of their ability to do good. The gentleman from Madison has alluded to the soldiers and the sailors who fight our battles in connection with these institutions, and he paid an eloquent tribute to the American navy. No one, sir, feels a stronger regard for that class of our countrymen than I do. While upon the land our army did nobly in the contest with a powerful nation, upon the sea our navy covered itself with undying glory, and made our national banner, while it floated above the smoke of battle, an object of terror to its enemies, and of hope and pride to its friends. I do not believe that a more active, daring, and enterprising set of men live than our sailors. At this hour they are spreading American canvas in the northern seas amid the icebergs; among the luxuriant islands of the tropical region; upon the Pacific; upon the Mediterranean: they bear our produce to the ports of the most enlightened and commercial nations on the globe, and, touching with their vessels the shores of a people who

have hitherto rejected all intercourse with mankind, they draw them into a wider traffic, and tempt them into an exchange of commodities. Yet, sir, is it a fair objection to banks that this class of our people do not happen to hold stock in them? The reasoning must be very peculiar which conducts one to such a conclusion. I deplore the effort so steadily made to array one class against another. The pursuits of men are various; they are wisely ordered so; but this ought not to produce hostility and distrust. In this country the rich man is no enemy to the poor. He can not be. This is a relation which is perpetually changing. The laborer of this year becomes the moneyed man of the next. Under the beneficent credit system which this country enjoys, he is enabled to engage in any enterprise which seems to him the most promising. If he inclines to agricultural pursuits, he penetrates the wilderness; by the aid of friends he secures a small tract of land, erects his humble cabin, clears the forest about him, and presently gathers from the generous soil its rich products; or, if he should prefer the busy occupation of trade, he engages in this, cautiously at first, but as his means increase he widens the sweep of his operations, and enjoys an ample return for his skill and industry; or it may be that he loves the sea; if so, he takes his place among daring and hardy associates, and, braving cold and danger in the pursuit, he strikes the harpoon into the whale, and returns laden with the spoil. Who, sir, does not know that this is sober truth, and not a mere picture? Who desires to see this state of things changed?

Those very men who are represented as sustaining such serious injury from *bank monopolies*, are aided in beginning their adventures by these institutions, and, after accumulating wealth, invest their profits in them. I hope, sir, that jealousies will never grow up between different classes in this country; they would be far more dangerous than those which are founded in geographical relations. Yet it is gravely asserted that there ought not to be a geographical division of parties, but that the true and natural ground of party organization is to array the producing class, as it is termed, against the wealthy class. Those who favor such a distinction have looked into the history of the world to but little purpose. If it were introduced here, the contest between plebeians and patricians would be renewed; contests which often shook the power of the Roman empire, and threatened it with greater danger than any external force.

The operation of the sub-treasury scheme would reduce the country to a very restricted circulation, and would cripple the enterprise of our people. The want of an ample circulation is acknowledged to be, in any country, a great evil, but in the United States it would be an evil of no common magnitude. It would at once check our advancement in the scale of national importance. I will read a single passage from a speech delivered in Congress by one of its ablest members, Mr. Legare, of South Carolina. He mentions the fact that within a comparatively brief period some of the most fertile and beautiful tracts of the Roman territory had been depopulated; and he remarks:

“Nor, sir, was this owing to the despotism of the Cæsars, as an excellent writer has well observed in reference to this passage of the ‘Decline and Fall,’ and as this committee will do well to remark. There co-operated with that misgovernment a curse, which has been said, and is thus proved, to be worse than ‘the inclemency of the seasons and the barrenness of the earth,’ a decreasing currency. The supply of the precious metals had been for upward of two centuries continually diminishing, while the quantity of them sent in quest of luxuries to the East, to return no more, had been increasing in the same proportion, and a revenue of 15 or £20,000,000 was constantly levied in gold and silver, to be expended at a distant capital or on the frontiers.

“This important fact speaks volumes to us on this subject. It is unquestionably true that one of the greatest calamities of the declining empire was a circulation diminishing so frightfully, that the pay of a general in the third century was nominally no higher than that of a private had been in the reign of Augustus. So much for the Roman sub-treasury system.”

Can it be doubted that the same result would follow the introduction of it here?

It is contended that the value of paper money is too unsettled and fluctuating; and a specie circulation is desired, because of its stable and uniform value. It can not be denied that uniformity of value is a very important quality in a medium of exchange, yet it is by no means the only one which we desire. It is impossible to select any representative of

property which shall possess a perfectly uniform value.

While we admit that the precious metals possess a more uniform value than any other currency, yet it can not be denied that bank paper, at all times convertible into gold and silver, is sufficiently stable for all the purposes of trade. Banks supply, too, a circulation which possesses other very important qualities; and among them, abundance. An abundant circulation is absolutely essential to the prosperity of this nation; without it, the laboring classes toil in vain; they never rise above the condition of their birth; the son inherits poverty from his father, and in turn transmits it to his children. Public improvements can not advance; capitalists will not aid them; they employ their funds in more profitable and more selfish enterprises. The very tendency of a restricted circulation is to increase the means of the wealthy and to impoverish the needy.

As to convenience, no one will hesitate to admit that bank paper possesses it in a much higher degree than specie. We are a commercial people. Our country is an extended one. We are accustomed to pass from one extremity to the other—to push our enterprises, sometimes on the Western frontier, and again on the Southern coast. We need an expanded and convenient currency, which shall cost neither labor or expense in its transportation. Do not bring upon us the Spartan policy; do not shape your legislation upon the model of the ancient lawgiver, Lycurgus. He sought to preserve the virtue of his people by restraining them from commerce, and by forbidding

them to travel. He accomplished his object by confining them to the use of iron money, and by distributing property among them equally. We are fast adopting the one scheme; is there no danger that the other will be forced upon us? Indulge me in one more reference to Dr. Franklin:

“Paper money, well funded, has another great advantage over gold and silver: its lightness of carriage, and the little room that is occupied by a great sum, whereby it is capable of being more easily and more safely, because more privately, conveyed from place to place. Gold and silver are not *intrinsically* of equal value with iron, a metal in itself capable of many more beneficial uses to mankind. Their value rests chiefly in the estimation they happen to be in among the generality of nations, and the credit given to the opinion that that estimation will continue, otherwise a pound of gold would not be a real equivalent even for a bushel of wheat. Any other well-founded credit is as much an equivalent as gold and silver, and in some cases more so, or it would not be preferred by commercial people in different countries. Not to mention again our own bank bills, Holland, which understands the value of cash as well as any people in the world, would never part with gold and silver for credit (as they do when they put it into their bank, from whence little of it is ever afterward drawn out), if they did not think and find the credit a full equivalent.”

Sir, such a currency as I have described our people will have. Look abroad at our growing trade. See our spreading commerce. Observe the activity

which pervades every department of life, and say, sir, do you think that the specie system will suit this country? Are you prepared to invite the government to begin the work of fixing it upon us, by requiring all its dues to be paid in gold and silver? I trust not. Nor can I consent that the public funds shall be intrusted to the keeping of executive dependents. The financial objections to the system are numerous. One of them is strongly stated by Mr. Cheves. He insists that it is a most unwise policy to collect the public dues in gold and silver, and then place the money in the hands of individual agents. You thus abstract it from circulation; it lies in the vaults of sub-treasurers; it answers no useful purpose in life; and this mass of metal might as well, for the time, be returned to the mines from which it was dug. Nor is the plan a safe one. It exposes the public treasure to be plundered, and presents strong temptation to an abuse of trust. Need I argue the point? I will not: convincing, astounding facts are at hand. Recently, two individuals having charge of the public funds have been ascertained to be defaulters to most extravagant amounts; one, I think, for a million of dollars, and the other a still greater sum. It would be much safer to compel the collector to place the funds in some safe bank on special deposit. It may be asked in what the advantage would lie. In this, sir. The transaction would, to some extent, be known. Secresy is the protector of crime: pour in light, and it dies. The amount of money deposited in bank by the collector is known to the officers of the institution, and so is the amount

removed by him, and even this danger of publicity acts as a check upon him. His conduct is subjected to scrutiny, and any thing extraordinary in it attracts notoriety. Can it be supposed that, under the operation of such a system, Mr. Swartwout could have practiced such an extravagant fraud upon the government as it has lately suffered at his hands? or that his friend, Mr. Price, could have been so successful in his speculations?

But, sir, there is a much more serious objection to this system than I have yet named. I mean the increased power which it confers on the President. The public funds ought to be placed beyond his control; they ought not to be in the hands of his creatures—of those of whom it may be literally said, “He saith to one, come, and he cometh; and to another, go, and he goeth.” The result would be the building up of a vast and overshadowing executive power, under whose crushing influence popular liberty would expire.

The Constitution of the United States was framed by men profoundly acquainted with political philosophy. They intended to secure by that instrument as perfect a distribution of political power as could be attained, for they well knew that to concentrate them in the same hands would leave but little hope for the existence of popular liberty. The grand distinction between the condition of a free people and of a nation ruled by a king wielding unlimited power, is to be found in this: the one not only enjoys actual liberty, but they are protected in its enjoyment; their rights are guarded by laws; while the

other, though they may be governed by a wise and lenient ruler, and may be indulged in the exercise of their rights to as great an extent as a people governing themselves, yet they possess no security for their perpetuation : this is dependent on the caprice of one man.

In the government of the United States, the executive power is conferred on the President. It is his duty to see that the laws are faithfully observed; and, to sustain the high and important functions which belong to his office, he commands the whole military force of the country. Other powers are assigned to Congress; and among them, the control of the public funds—in itself a very high trust. They, the representatives of the people, are to guard the treasure of the nation with unrelaxing vigilance, and no appropriation can be made without their action. It will at once be seen how deeply this arrangement concerns popular liberty, and any measure which proposes to disturb this adjustment of powers is condemned by the Constitution, and is hostile to the dearest public interests.

It was remarked by the gentleman from Madison that it is made the duty of the President, by the Constitution, to appoint public officers, and that the Treasury Department was attached to the executive branch of the government. This is true, sir, but it was never thus attached by the Constitution. The President's control over that department is acquired by indirection. No such officer as Secretary of the Treasury is named in the Constitution; but the general power of nominating to office is given to the Presi-

dent, and by the existing construction of his authority, which allows him to *remove* from office those who have been appointed, he possesses an unlimited influence over an officer who, from the highest considerations, ought to be wholly independent of him. Yet it is proposed to extend this dangerous influence still further. Not content with making the head of the Treasury Department the mere creature of the President—an automaton to move as he shall direct—there are those who desire to see the whole treasure of the people placed in the hands of subordinate officers—sub-treasurers, scattered throughout the country, who owe their official existence to his will, and may be discharged at any moment by the opening of his lips. Will the American people tolerate this alarming encroachment on their rights? It must at once be seen that it disturbs the balance of power in the government, and confers on the President more than kingly authority. Let some great crisis arrive; let a reckless and grasping leader sit in the presidential chair; let him desire to accomplish some favorite scheme, the success of which requires money; if it be refused by Congress, what is to prevent his seizing the public funds? The scruples or remonstrances of his dependents? What answer did Cæsar give when resisted by Metellus? He laid his hand upon his sword. Sir, the lesson is sufficiently instructive. I will add to my own views those of General Jackson, expressed to Congress in his message of 1835:

“I need only add to what I have on former occasions said on this subject generally, that in the regulations which Congress may prescribe respecting the

custody of the public money, it is desirable that as little discretion as may be deemed consistent with their safe keeping should be given to the executive agents. No one can be more deeply impressed than I am with the soundness of the doctrine which restrains and limits, by specific provisions, executive direction, as far as it can be done consistently with the preservation of its constitutional character. In respect to the control over the public money, this doctrine is peculiarly applicable, and is in harmony with the great principle which I felt I was sustaining in the controversy with the Bank of the United States."

Yet gentlemen who daily denounce Federalists—who rejoice in the opposite name—who very coolly appropriate to themselves all the political virtue in the land, are clamorous for a measure which clothes the President with giant power. I trust, sir, for their sakes and for ours—for the love I bear our common country—for the hope I cherish of our transmitting to coming generations the noble institutions under which we live, that the system which those in power are striving to establish may never prevail in this land.

One of the resolutions offered by me for the consideration of the House proposes the establishment of a Southern Bank. Such an institution is of great importance to the Southern and Southwestern States. It would supply a circulation of wide credit, and at the same time aid greatly our efforts to open a direct trade with foreign countries. In the Northern cities there is a vast accumulation of capital, and of late

the most extensive financial arrangements have been effected. The country is rapidly accommodating itself to circumstances; and we must here bring about a countervailing influence, or we shall be again outstripped. I certainly do not desire to foster sectional prejudices; there ought to be no hostility between the North and the South; but there should exist a generous rivalry. We are allied to each other by the glorious recollections of the past—by a participation in common struggles and common triumphs, and by the proud destiny which the future unfolds to us. Yet, sir, the South is “my own, my native land”—my home, and the birth-place of my children. Her people are my people; her hopes are my hopes; her interests are my interests. I desire to see her cities grow, her languid commerce revive, her ports crowded with shipping, her agricultural industry enriching her own sons, and her merchants “princes in the land.” I wish to see our educated young men engage more generally in mercantile pursuits, and thus aid in developing the resources and increasing the wealth of their country by a comprehensive and enlightened conduct of commercial business. It would gratify me much to see one of my own sons engage successfully in this honorable pursuit. Why should the South longer hold back? Compare the *exports* of Charleston with those of New York: the difference is considerable; but the difference in the amount respectively *imported* into each of these cities is vastly greater. Let us stand idle no longer. But individual capital in the South not being employed in the importing trade, it is important at once to afford the

means to those who will engage in it by the establishment of such a bank as I have mentioned. While it aids the great objects of our wishes, it will supply such a circulation as our wants demand.

I have thus, sir, expressed my views of the important subject under consideration. It may be the last act of my public life. I know that the proscriptive spirit of party is gaining strength, and that it tolerates no freedom of thought. If it be, I shall carry with me into private life the consolation derived from the advice of Cato of Utica to his son: "My son, avoid public life: it is incompatible with what is due to virtue and to the gods." If the time has come when all independence of opinion must be sacrificed at the shrine of power—when the people will sustain no man who dares to be candid, then I desire to have no participation in the administration of public affairs. I can be much happier and much more profitably employed in giving my attention to humbler duties. But, sir, I entreat gentlemen to pause—I urge them to resist this measure. I trust that they will not lend their aid in fastening it upon the country. Let us look at history; let us remember that, in the language of Bolingbroke, it is philosophy teaching by examples. By such measures as that which I now call upon them to resist—by surrendering all power into the hands of a favorite ruler, popular liberty has always been betrayed. Let us be faithful to our great trust. From the battle-fields of all the earth upon which Liberty has set up her standard, there comes to us a cry to be faithful; from the crumbled senate-halls of nations forever passed

away there comes to us an imploring appeal not to betray the cause of mankind. Let us not be deaf. But, sir, if this system must prevail—if, in all its colossal proportions, it is to be fixed upon the American people, and their liberties shall expire under it, “thou canst not say I did it.” Fisher Ames at one time, upon the floor of Congress, wished that he was able to raise his voice until it reached every log cabin beyond the mountains, that he might warn the unsuspecting inhabitants of the impending Indian tomahawk. I wish, sir, that I could make my voice heard in every dwelling throughout this land. Feeble as it is, I would admonish a great people to rise in their strength, and put down a system which, if once established, may fix upon them and their children a GIANT DESPOTISM.

THE OREGON QUESTION.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, JANUARY 6th, 1846.

The Speaker announced as the unfinished business the following joint resolution, reported by Mr. C. J. Ingersoll, from the Committee on Foreign Affairs :

“ Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States forthwith cause notice to be given to the government of Great Britain that the Convention between the United States and Great Britain, concerning the Territory of Oregon, of the sixth of August, 1827, signed at London, shall be annulled and abrogated twelve months after the expiration of the said term of notice, conformably to the second article of the said convention of the sixth of August, 1827.”

Mr. Hilliard, being entitled to the floor, rose and said :

MR. SPEAKER,—In entering upon the discussion of the great question at present before the House, it will be proper for a moment to recur to the history of the relations of the government of the United States with that of Great Britain in regard to the Territory of Oregon. It is well known that, after several fruitless attempts had been made to adjust the difference between them in relation to the sovereignty of that district of country, both powers had at length agreed to adjourn the question over, and they had mutually entered into the convention of 1818, by which treaty it was understood that the two parties were to enjoy certain privileges in regard to the territory, which were clearly specified and defined. In the summer of 1827, when this convention was about to expire by its own limitation, provision was made to perpetuate this mutual understanding, simply with the

purpose of preserving peace between the parties, and without yielding any portion of the original claims which had been respectively put forth. It is now proposed in this House to terminate that convention, conformably to a provisional article embodied in the instrument itself.

Should that termination be brought about as proposed, what will be the relative positions of this country and of Great Britain in regard to the Oregon Territory? For an answer to this question, we are referred back to the relation subsisting between them before the convention was entered into. That relation must, then, be renewed, and the two nations will stand as conflicting claimants before the civilized world for the entire control over the whole territory. Here, then, comes in the question as to our title—whether founded on discovery, exploration, and settlement by our own citizens, or resting on the claims of Spain; for we shall bring both our own title and the title of Spain to fortify our position, when we meet our competitor in the presence of the civilized world. I shall not enter on this question of title; it has recently been exhibited with great ability, and I should only render myself tedious by repeating arguments which have already been placed in the clearest light. I simply desire to say, that on the question of our title to Oregon I rely mainly on the previous title of Spain, although I am far from underrating the merits of discoveries and settlements in that region by our own enterprising citizens. I admit these, and duly appreciate them; but, as I have already said, my main reliance is placed on the Spanish title

—a title which we did not possess at the time our dispute with England arose ; for it is my belief that, had this title then been ours, the convention of 1818 would never have had an existence. So long as this title remained in the hands of Spain, Great Britain treated it with the contempt which marked all her conduct toward that power. Pitt's rooted aversion to Spain is well known ; he inherited it from his father, and it made itself manifest in all his public conduct when the occasion provoked it ; indeed, it was but the sentiment of the British nation. So that, although the moral power of that title was as great as it is now, it was not regarded with the respect which was due to it. That title has been recently so convincingly, I may say so triumphantly, pleaded by our present Secretary of State, that it must have carried actual dismay into the British cabinet, and it has certainly placed our own claim to the country upon more elevated and commanding ground than it ever stood on before. It is now an *American* title ; and, with whatever contempt Great Britain might have felt herself warranted in treating it when in the possession of *Spain*, she will not so treat it when it is put forth before the world as the claim of the United States. I do not speak this boastfully, but I desire that Great Britain shall know that we comprehend our rights, and, I thank God, we are able to maintain them.

I do not desire, sir, to be understood as putting out of the question our own American title.

A late Secretary of State (Mr. Calhoun), whose fame is commensurate with the extent of civilization, has placed the American claim on Captain Gray's dis-

covery of the mouth of the Columbia River, and on that admitted principle of international law that, by whatsoever nation the mouth of a river is discovered, to that nation belongs the whole of the valley which is drained by its waters. I feel this claim to be of great consequence; and I must confess that I felt the greatest amazement when, in the debate of Saturday, a distinguished gentleman from Massachusetts (Mr. Winthrop) disclaimed all reliance upon it. Rich as Massachusetts is—and I acknowledge her rich in all that can give elevation to a state—I do not think her, however, in circumstances to abandon such an honor as this discovery. The gentleman came to this House, as I have understood, with a rich inheritance of ancestral fame, to which he has largely added in well-merited reputation of his own; but if he thinks himself entitled to disclaim and cast away this discovery by Captain Gray, I will take it up. If *Massachusetts* cast him off, I will claim him for the *United States*. The gentleman has said that Captain Gray, as a navigator in the waters of the Pacific, had no thought of making discoveries on behalf of his country, or of adding any thing to her territorial claims, but had simply been prosecuting a little harmless trade in fish and peltry. This may be so; but still he coasted those shores in a vessel of his own, with our national flag waving over his head—in a vessel which, according to the doctrine of an eminent statesman, whose fame belongs alike to Massachusetts and to his whole country, was part and parcel of the American soil.

Mr. Webster, in his correspondence with Lord Ashburton, states the doctrine with great clearness and force.

“But, nevertheless, the law of nations, as I have stated it, and the statutes of governments founded on that law, as I have referred to them, show that enlightened nations, in modern times, do clearly hold that the jurisdiction and laws of a nation accompany her ships, not only over the high seas, but into ports and harbors, or wheresoever else they may be water-borne, for the general purpose of governing and regulating the rights, duties, and obligations of those on board thereof; and that to the extent of the exercise of this jurisdiction they are considered as parts of the territory of the nation herself.”

This principle, thus laid down, is not likely to be disputed hereafter among civilized nations; and it results from it that, while the jurisdiction of the nation silently accompanies the vessel in all its course, extending over it sleepless and efficient protection, all the discoveries which that vessel makes are for the nation. It was in this spirit that Captain Gray, when in that distant region he entered the mouth of that great stream which had never before been entered by any navigator, gave to it the name of his ship—COLUMBIA—thus identifying with it through all time memories of his country and his home.

[Mr. Winthrop rose to explain, and the floor being yielded to him for that purpose, he went on to say that the honorable gentleman from Alabama seemed entirely to have misunderstood him. So far from disclaiming or casting away this discovery of Captain Gray, he had, on the contrary, expressly said that he considered it, after all, as our best resort, and as containing in itself the best claim we could show to the

possession of Oregon ; and he had added that Massachusetts, and especially the people of Boston, felt proud of Gray as a fellow-citizen, and of his discovery as shedding a lustre upon the city of his birth and the state of which he was a citizen.]

Mr. Hilliard resumed, and said he was glad to be set right, and, if he had misapprehended the gentleman, to have that misapprehension corrected. He certainly had not intended to misrepresent him.

[Mr. Winthrop. Certainly not.]

Still, sir, it seems to me that the gentleman attaches too little value and importance to the title, of any sort, which we hold to the Oregon country. When Captain Gray trod the deck of his ship, having the American colors at his mast-head, whatever new territory or river he discovered was for us, the people of the United States. I congratulate Massachusetts that one of her native-born sons has by his enterprise added so much splendor to the records of early discovery on this continent. Honored be the name of Gray. I am prepared to stand by the title of which he has furnished so valuable an element. As to the gentleman from Massachusetts (Mr. Winthrop), I can say with entire truth that I greatly admire his spirit and bearing ; on most points we entirely agree ; but I can not consent with the gentleman in any degree to disparage our title, because it is to be set against that of a powerful and imperious nation. I will not yield a tittle of it. The gentleman talked slightly about musty records. I do not share in this feeling ; I reverence musty records, and hold them as precious. With a musty record I can up-

turn the whole face of human society. With the musty record of Magna Charta in my hand, I can revolutionize the face of Europe, if permitted to present its principles to the minds of her population. I trust that if the dust of age and neglect should ever gather on the sacred volume of our Constitution, and there be a descendant of mine on this floor, representing a Southern people as I do, he will be able to call up from that musty record a moral power potent enough to shield their liberties, and to resuscitate and bless the condition of society throughout this land.

On the evidence contained in musty records I found my belief that every inch of Oregon is ours. I can see no break in our title from latitude 42° to latitude $54^{\circ} 40'$. I do not say that I would not arrange for any portion of the territory lying between those parallels. It is not for me to make any such arrangement. That power has been placed by the Constitution in the hands of another branch of this government. It is altogether proper that the President should regard all the great interests of the country in adjusting a difficult national question. I am not disposed to disturb his functions. I do not wish to commit the House on that point. But I hold our title to be so clear and so capable of demonstration, that, but for the colossal power of Great Britain, and the haughtiness with which she has been accustomed to treat all other nations in the conduct of her diplomacy, I can not but believe that she would withdraw from the contest, overwhelmed by the force of argument which she can not refute.

But there are some who admit that Great Britain

can not maintain her claims to the territory in dispute upon the grounds to which I have referred, who yet insist that she may extend her possessions in that region upon the principle of *continuity of domain*. What right has Great Britain to set up a claim to Oregon on the ground of continuity of territory? Is the seat of her sovereignty on this continent? No; her possessions here and her rights here are colonial. This continent is the seat of our empire. In this view, the venerable gentleman from Massachusetts (Mr. Adams), and all who have examined the subject, will, I am sure, concur, and they will bear me out in saying that this ought to outweigh every other consideration in a question of this character. The seat of England's sovereignty is across the Atlantic. Holding here only colonial possessions, she seeks to extend them still farther, when neither the compactness nor the security of her empire requires it, and when her claims come in conflict with those of a nation holding their original sovereignty on this continent.

If, then, our title to the territory of Oregon is clear, the next question which presents itself is as to our wisest course to perfect that title. What course ought we to take to secure the possession of that which is ours by title? In my judgment—and I make the assertion with profound deference to the opinions of others—"inactivity" is no longer "masterly." I repeat it, *inactivity is no longer masterly*. There are occasions when, to save what is dear to us, it becomes necessary to act promptly: to act with decision, and to act immediately, is often the only way to act with

effect. I do not see that we have any course left but to act, whether we regard the perpetuity of peace, or the possession of the territory in dispute. If we would avoid war, we must have the causes of war passed upon and settled. It is not always by adjourning over great, and difficult, and delicate questions, that war can be avoided. Our condition in regard to Oregon is such as to demand action—intelligent, prompt, decisive, comprehensive action. If we should leave this question open, in the present state of the two countries, who can avoid seeing that war is inevitable?

When Lord Ashburton returned to England, after having successfully arranged the difficulties about the northeastern boundary, and was congratulated in the British Parliament on his success, I believe that experienced statesman said that the national sky was then clear and without a cloud, saving one minute speck upon the horizon, which he did not doubt would soon disappear. But how has his prediction been fulfilled? That little speck, then no bigger than a man's hand, and scarce perceptible on the far-off margin of the heavens, has since become a dark, and lowering, and portentous cloud; it has swept over the face of the sky, and hangs all over our north-western frontier, gloomy as night. The whole aspect of the question is changed; and, if we wish now to maintain our position as the friends of peace, it is time we awoke to action. We must assert our rights; we must shun a temporizing policy; we must adopt vigorous measures, and carry them to the very farthest verge to which they can be maintained without

a violation of the terms of the convention; otherwise we shall find that the population of the two nations, intermixing in that remote territory, carrying with them the prejudices and the heat of the contending parties, protected by and amenable to conflicting jurisdictions, entering into the eager competition of trade, will, at no distant day, precipitate us into a war with Great Britain.

Nor, sir, is the danger of war all that is involved in the adjournment of this question; we incur the danger of losing the territory altogether. And why do I think so? From the whole colonial history of the British empire. There was a time when Spain possessed great and extensive colonies, but they have dwindled away. There was a time when France could boast of her colonies, but they have dwindled away. There was a time when Holland swept the seas with her fleets, and held important colonial possessions, but they have dwindled away. In the mean time, Great Britain has gone on, growing in strength, extending in power, and spreading her armies abroad into every part of the habitable world. Her language, her laws, her military prowess fill both hemispheres, while she has belted the globe with her fortresses, to say nothing of her colonies. The British people and their government well understand the management of colonies. When in Europe a short time since, a distinguished British diplomatist said to me, "Sir, France does not understand how to manage colonies; we do understand it;" and he spoke the truth. Since the year 1609, Great Britain has acquired no less than forty-one colonies, twenty-four

of which she has obtained by settlement, nine by capitulation, and eight by cession. In the possession of Oregon she seeks to plant herself there permanently, and is employing all her power and all her skill to establish her authority over the greater part of that region.

At Willamette Falls, in latitude $45^{\circ} 20'$, there is a prosperous and growing settlement; a factory, established by the Hudson's Bay Company, is in operation there, under the control of Dr. M'Laughlin, factor to that company, and whose copartner is her majesty's magistrate for that district. This settlement, sometimes called Oregon City, is under the influence of this Dr. M'Laughlin, a man of fine person, of finished and winning manners, of great wealth and unbounded hospitality; an intelligent man, long experienced in business, and well-informed on all subjects connected with his position. Under the auspices of such an individual, have we not reason to expect that Great Britain will go on to plant herself in the possession and occupancy of the country in such a manner that we can not expel her, at least not without a severe struggle?

If we refuse to protect the thousands of our own citizens who are, and the multitude more who soon will be, in Oregon, may they not conclude, as they are neglected by their own government, to throw off their allegiance, and go over to a government which never refuses and never forgets to protect its citizens in every part of the world? Their right to do so is a recognized principle of international law. If the government refuses its protection, citizens may throw

off their allegiance, and transfer themselves to the jurisdiction of a government that will do its duty ; or, they may determine to set up for themselves, and rear an independent and rival government. Under these circumstances, I am decidedly in favor of extending to them our laws and protection.

I propose now, sir, to consider the action we should take in carrying out this important policy ; and, first, as to this question of *notice*. I think we ought at once to provide for giving the notice so often referred to in this debate ; nay, I think we must do it. Yet I am not for doing it either in the form proposed in the bill reported by the honorable chairman of the Committee on Territories (Mr. Douglass), or in the resolution more recently reported by the distinguished chairman of the Committee on Foreign Affairs. It is my misfortune to differ in opinion from both, and it is my purpose, before resuming my seat, to offer an amendment, striking out in the resolution the words which refer to giving this notice by a joint act of both houses, and inserting a provision empowering the President of the United States to give such notice when, in his opinion, the public welfare shall require it. I was at first inclined, with the gentleman from Kentucky near me (Mr. Davis), to consider the giving of this notice as an exercise of the executive power with which the House had nothing to do ; but, on further reflection, I have changed that opinion. It is very true that the formation of such a convention is an exercise of the treaty-making power, but it does not therefore follow that the dissolving the convention must be the exclusive act of that

power. That is a different question ; because the "government of the United States," according to the terms of the convention, was one of the high contracting parties, and of that government this House, as well as the President and Senate, constitute a part. Yet there are grave reasons why Congress, instead of taking the power into its own hands, should lodge it in the hands of the President. I shall not be suspected of a disposition to increase, unnecessarily, the power of the President ; but I am willing to give the present executive the power which he asks in this matter. I am for giving to the executive all the energy and efficiency which he requires to act in a matter of this kind. The country has placed the President where he is, and the responsibility is his. When the government of Great Britain learns that he is clothed with this power, they will comprehend what a mighty element it is, and will be the more inclined to act with deference to him and to us. It seems to me that all the friends of peace in the House should consent to such an arrangement. It has been said very generally that negotiations have been renewed at London—

[Mr. C. J. Ingersoll, chairman of the Committee of Foreign Affairs. That is not a fact. They have not been renewed.]

If not, they may yet be. I trust they will be. I am for multiplying the chances for adjustment and peace. The President will have the whole field before him, and I am for lodging with him this great element of negotiation. As proposed by the bill from the Committee on Territories, and by the resolution

now under consideration, the notice is made absolute; it goes forth in a hostile shape, and no choice is left to the President as to times and seasons, which are often matters of great importance. The power, if given as I propose it, will be quite as effectual as if exercised absolutely by the House, yet it will leave to the wisdom and discretion of the executive the selection of the manner and time of giving the notice. It imposes on him no responsibility which any executive ought to wish to shun. It places him in a grand position, invested with ample power, conferred by the confidence of his country, and it opens before him the opportunity of accomplishing great good for the nation and for the world.

I wish to present another view. I desire the adoption of a different plan from that which has been reported from the Committee on Territories as to the extension of our laws over Oregon. It is a part of the plan proposed by the committee to make donations of land to actual settlers, and this while the convention still continues in force; this I can not but consider as a violation of that instrument. I do not think so as to the principle of settlement; our people may go into that country in any numbers, and they ought to be protected. The bill provides, too, for the extension of the laws of Iowa over Oregon. This will be a mere nominal extension of jurisdiction, and will result in no practical good. It will serve only to make the settlers in that remote district of country acquainted with our laws by their threatenings, but the measure can afford them no efficient protection. I should prefer the establishment of a

territorial government, so organized as not to conflict with the provisions of the convention. My plan would be to send them out a governor—a sagacious, prudent, experienced, cautious man, who would be able to sweep the whole field with his eye, and give information and counsel to the government here as to what was doing and what ought to be done. If any gentleman doubts our power to establish such a government over the whole of the territory, or apprehends collision with the British authorities, then, I say, place your governor south of the Columbia River; that, at least, is a portion of the territory which, I presume, no gentleman in the House is prepared to surrender. The language of every one here, I doubt not, will be like that of the poet:

“And many a banner shall be torn,
And many a knight to ground be borne,
And many a sheaf of shafts be spent,
Ere Scotland’s king shall cross the Trent.”

The officers of the Hudson’s Bay Company are there, and British magistrates of some description are there also; why should not our officers and our magistrates be there too? Will not their authority carry with it respect for the American laws and government?

Besides the measure which I have just been considering, certain resolutions have been introduced here which I desire for a moment to refer to. Those offered by the gentleman from Massachusetts (Mr. Winthrop), which look to the adjustment of the Oregon dispute without war, I certainly admire. The spirit in which they are presented calls for my profoundest respect, and I hail them as the exponent of

the sentiment of an enlightened and Christian age; and yet I can not vote for them. In my humble judgment, the matter to which they refer—the mode of adjusting a pending political question—belongs to another branch of this government, and their adoption by us might seriously interfere with the exercise of its functions. As to the counter resolution introduced by the gentleman from Illinois (Mr. Douglass), I am decidedly opposed to it. It declares that the whole of Oregon is ours up to the parallel of 54° 40', and is intended to commit this House against any negotiation which brings us less than that extent of territory. Now I have already stated my personal conviction as to the extent of our rights, but I will not consent to express any legislative opinion on a matter which clearly belongs to another department. I am for giving the executive full discretion and the amplest scope. This is no party question; it sweeps beyond all such considerations, and, in the measures connected with it, party feelings and influences should be far from every mind. The country is in a crisis. I feel it to be a crisis; and I am ready to say God speed to the man who shall carry us honorably and safely through it. At an hour like this, I will vote for no resolutions embodying opinions on the one hand or the other. Let the government take ground which is impregnable, and maintain it with a firmness that shall command respect.

And now, sir, I am met with the question, "Suppose these measures should lead to war?" I do not think they will lead to war; they ought not. But we are not at liberty, in this matter, to turn away

from a just consideration of the national rights and the national honor, to look at consequences. We are going onward, as we should, protecting our own citizens. We are following the example of the republic of Rome, which caused Roman law to prevail, and the ægis of Roman protection to be extended wherever Roman citizens passed. I abhor war. Reviews have no charms for me. The detailed history of battles, and all the slaughters of victory, do but disgust me. I never look with admiration on scenes like these, unless it is when I see a brave and suffering people, borne down by oppression, rising up, with united heart, to beat back their oppressors.

In regard to the lust of conquest, which has been spoken of as being a derogation to our national character, I am ready to confess that I have heard with regret the language held by some gentlemen here about pushing forward our acquisitions, and planting the American eagle on various points of this continent, and all over the world. The expression of such sentiments is the very course to arm all the world against us. The French Revolution has operated more than all other things to disgrace and overthrow all republican ideas in Europe. And why? Because the lust of conquest which grew out of and accompanied that revolution rose so high as to become a terror to the world. France—republican France—sent her armies abroad in every direction. Their movements evinced the highest military skill, and were followed every where by the most splendid victories, until French valor was at once the admiration and the dread of all surrounding nations, and the

name of France was like the sound of a trumpet to the remotest bounds of the world. But what was the effect? A terrible retribution. And the memory of those conquests and those costly victories is now so linked to the notion of republicanism in Europe that nothing can break the association. Republican ideas must struggle up for half a century before they can reach the position they held in Europe before that great convulsion. I wish for nothing of the kind among us. I deprecate every indication of such a spirit. I believe our system of government to be the wisest and our institutions the happiest which the world ever saw; and regarding as I do the happiness of my race, I hope they will spread throughout mankind; but let them spread by their own inherent moral power, until the happiness they produce shall create a spectacle for the world to see and to admire. Let this be the triumph of my country. I desire her to realize the prophetic description of Archbishop Cranmer:

“Wherever the bright sun of heaven shall shine,
Her honor and the greatness of her name
Shall be, and make new nations; she shall flourish,
And, like a mountain cedar, reach her branches
To all the plains about her;
Our children’s children shall see this,
And bless Heaven.”

Peaceful triumphs alone are those which I seek—the benign virtues of reason and truth. These I desire, and none other. If, however, while pursuing such a policy—a policy wise, vigorous, but conciliatory, war should come upon us, I trust the country will be prepared to meet it. If it should come upon

us as the result of a moderate but firm assertion of our national rights, the response in every American bosom must be, "Let it come." The venerable gentleman from Massachusetts near me (Mr. Adams), in tones which rang on my heart like a trumpet, reminded me of the days of our revolutionary glory. The old fire which blazed so brightly in that ever-memorable struggle seemed to be flashing up within him, and, while I listened to his patriotic strains, I felt assured that in such a cause we should all act as one man. If we should go into the war in this spirit, I should feel little anxiety as to how we should come out of it. The power of England is fast culminating to its highest point. It must soon reach that climax in the history of nations from which they have, one after another, commenced their decline, and she ought not to enter into a contest with a great power. If wise counsels prevail, she will not. Yet, if she should be so irrational, on the ground of such a controversy as that of Oregon, to rush into such a contest, I trust that she will be driven back from these shores shorn of her splendor; and she may be very sure that when this happens it will prove no temporary eclipse, but will endure for all time to come, and she will be left a portent in the political heavens,

"Shedding disastrous twilight over half the nations."

I know her power—I know the multitude of her fleets—I know the bravery and discipline of her armies; but, in a war thus brought upon us, we ought not to waste a moment in looking at these. We ought to feel confident in our position, confident in our resources, confident in the patriotism of our peo-

ple, and, above all, confident in the blessing of the great Ruler of nations. With these, and with a just cause, I feel that this country is able to resist any attack, and I am confident that we should be good against a world in arms.

But I am admonished by the clock that I must hasten to some other topics which yet remain.

I now invite gentlemen to turn their attention for a moment to the importance of Oregon, for I believe that its intrinsic importance has been overlooked or much undervalued. And, first, looking at it in a *political* view, it must be admitted to be of great value to us. England has a frontier to the north of us extending three thousand miles, and stretching entirely across the continent. If we permit her to come from that line some five hundred miles down the coast of the Pacific, we shall give her the opportunity of filling up the only break which now exists in that line of continuous fortification with which her energy and vast resources have encompassed the globe. Why is it that she presses with so much earnestness and pertinacity for a strip of land along our western borders? Is it the soil? Is it the trade? No. She could enjoy the trade if the territory was ours; and it certainly would be, in that view, better to resign a strip of territory than to lose a good neighbor. These, however, are not the considerations which make her so anxious and so persevering. It is the political value of the territory, which, with her accustomed sagacity, she sees and appreciates. Statesmen ought not to bound their view by things which are at the moment within the range of their eyes. They ought

to lift their vision until it embraces the broad field which belongs to the future also. This the British statesmen are in the habit of doing; and we, if we are wise, will follow their example. Before we count the value of Oregon, we must look across the Pacific, and estimate that trade with China and the Eastern Archipelago which is soon to open upon us in all its riches, grandeur, and magnificence. As things now exist, our vessels, returning from the ports of Eastern Asia, have, as it were, to run the gauntlet through a long line of British naval posts, from which they are exposed to attack. Her numerous naval stations enable her to keep her fleets in every sea, and however widely-spread this Eastern commerce may be, and however inestimable its value, it is subject in a moment to be arrested. But if we establish our posts and plant our settlements on the shores of the Pacific, our commerce will float in comparative safety over the tranquil bosom of that wide-spread ocean. Surely, in this view of the subject, it would be poor policy in us to yield what is essential to the prosperity of our commerce in that part of the world.

Again, I regard this controversy respecting Oregon as a national question in the strictest sense of the term. I differed from some of my Whig friends respecting the annexation of Texas, for I viewed it, as I view this, as a national question. In adopting my conclusions, and in conforming to them my course of action in relation to that important subject, I was not conscious of one particle of selfish feeling. What I did I did for my country, for the whole country, for the welfare and aggrandizement of this nation. I

was in Europe when that question was first agitated, and witnessed the jealousies of European cabinets in regard to it, and their intrigues and combinations to defeat the annexation, and I felt my American blood roused at the spectacle. I look on Oregon in just the same way; with us it is no Northern, no Southern question. I have come up here as a national representative. True, I can not wholly divest myself of feelings which were born with me, and of early memories which nothing can efface; but, God helping me, I intend to do strict and equal justice to all.

In my course in this hall, I shall look alone to the national aggrandizement and the national glory; and I know well that in such a course the people I represent will sustain me. I have not been long enough their representative to say, with John Randolph, that no man ever had such constituents; but I have lived among them, and know them, and I know they will sustain me. I shall enter into no movement of a merely party character, nor shall I be found entering into a combination to elevate or to depress any section of the country at the expense of another. My political career may be short, and the accomplishment may fall far short of the purpose, but the conception of duty, at least, shall be glorious; and if an earnest effort to come up to it constitutes glory, then my career, long or short, shall be glorious. Gentlemen have spoken of the policy of President Monroe, who declared to the nations of the Old World that they would not be tolerated in any interference with the balance of power on this continent, and that they must establish no more colonies on our shores.

I am in favor of this policy, so far as it can with justice be carried out. Where European nations have already possessions on this continent, they should be suffered to hold them without molestation; but we may well oppose their planting new colonies in this our western world. The honor of this sentiment, however, it is but fair to say, belongs, justly, as much to the gentleman from Massachusetts (Mr. Adams) as it does to Mr. Monroe; for, although the latter was the chief magistrate, the former was at the same time Secretary of State, and if he did not suggest, he certainly sanctioned the policy. The present executive maintains the same doctrine, and, I doubt not, the whole country will heartily come into it.

I have some facts bearing upon the *commercial* value of Oregon to us which I deem of the first moment. England and the United States are the only competitors for the trade of southern China; the trade of the northern portion of China is in the hands of the Russians, and is mainly conducted at an annual fair held at Kiachta, lasting for about two months, at which the traders of the two nations assemble and carry on their commercial transactions; but south China is in the hands of England and this country, who are competitors for the profits of the trade. England imports every year four hundred and fifty thousand chests of tea, while we import two hundred thousand, besides muslins and silks, and other commodities of great value.

In this gainful traffic England regards us a rival power, and she is by no means disposed to give it up. The coast of Oregon fronts that of China, and pre-

sents great facilities for carrying on this important branch of our commerce. Fully to avail ourselves, however, of these advantages, we ought to connect Oregon with the State of Missouri by the construction of a rail-road. This is not so wild and visionary a scheme as at the first view some gentlemen may be disposed to consider it.

Let them reflect that it is but about fifteen years since Mr. Huskisson lost his life in an experimental trip between Liverpool and Manchester, over the first rail-road ever constructed in England. And what is she doing in that system now? And then look on the Continent, and see already completed a large part of one continuous line of rail-road, which is to stretch out twenty-seven hundred miles, entirely across Europe, from Odessa to Bremen, while another line will presently extend from the Adriatic for near a thousand miles. And yet some gentlemen stand and look aghast when any one speaks of a rail-road across our continent, as if it were something wondrous and altogether unheard of before. Should such a road be constructed, it will become the great highway of the world; we shall, before long, monopolize the trade of the eastern coasts of Asia. At present, it is stated that the shortest possible voyage from London to Canton occupies seventy days; but it is estimated, over such a rail-road, a traveler might pass from London to Canton in forty days. There is no wildness, no extravagance in the idea, but it is a matter of sober sense and plain calculation. What a magnificent idea does it present to the mind, and who can calculate the results to which it will lead! With a route

so short and so direct as this, might we not reasonably hope to command both the trade and the travel of the world? Ingrafted on this plan, and as its natural adjunct, is the extension of a magnetic telegraph, which will follow the course of the road; unite these two, and where is the imagination which can grasp the consequences! Whale-ships, returning from their long and hazardous voyages, might touch upon the Pacific coast, and instantly transmit across the continent tidings of their safety and their success.

In either of the views which I have presented, it is impossible that the importance of Oregon can be overlooked. I trust that these great results will be realized, and I hope at no distant day to see a mail line established across the continent. England has very recently been engaged in an experiment in ascertaining the shortest overland route across the Continent to the East Indies, and I believe the Oriental Steam Company has determined on that through Germany, by Trieste; but if we construct this railroad, she will then be dependent on us for the shortest and most expeditious, as well as the safest route to China and her East India possessions. Is not the language of Berkeley in the progress of fulfillment when he wrote that immortal line,

“Westward the star of empire takes its way?”

When Oregon shall be in our possession, when we shall have established a profitable trade with China through her ports, when our ships traverse the Pacific as they now cross the Atlantic, and all the countless consequences of such a state of things begin to flow in upon us, then will be fulfilled that vision which

rapt and filled the mind of Nunez as he gazed over the placid waves of the Pacific.

I will now address myself for a moment to the *moral* aspect of this great question. Gentlemen have talked much and eloquently about the horrors of war. I should regret the necessity of a war; I should deplore its dreadful scenes; but if the possession of Oregon gives us a territory opening upon the nation prospects such as I now describe, and if, for the simple exercise of our rights in regard to it, Great Britain should wage upon us an unjust war, the regret which every one must feel will at least have much to counterbalance it. One of England's own writers has said, "The possible destiny of the United States of America, as a nation of one hundred millions of freemen, stretching from the Atlantic to the Pacific, living under the laws of Alfred, and speaking the language of Shakspeare and Milton, is an august conception."

It is an august conception, finely embodied; and I trust in God that it will, at no distant time, become a reality. I trust that the world will see, through all time, our people living not only under the laws of Alfred, but that they will be heard to speak throughout our wide-spread borders the language of Shakspeare and Milton. Above all is it my prayer that, as long as our posterity shall continue to inhabit these mountains and plains, and hills and valleys, they may be found living under the sacred institutions of Christianity. Put these things together, and what a picture do they present to the mental eye! Civilization and intelligence started in the East; they have trav-

eled and are still traveling westward ; but when they shall have completed the circuit of the earth, and reached the extremest verge of the Pacific shores, then, unlike the fabled god of the ancients, who dipped his glowing axle in the western wave, they will there take up their permanent abode ; then shall we enjoy the sublime destiny of returning these blessings to their ancient seat ; then will it be ours to give the priceless benefits of our free institutions, and the pure and healthful light of the Gospel, back to the dark family which has so long lost both truth and freedom ; then may Christianity plant herself there, and while with one hand she points to the Polynesian Isles, rejoicing in the late recovered treasure of revealed truth, with the other present the Bible to the Chinese. It is our duty to aid in this great work. I trust we shall esteem it as much our honor as our duty. Let us not, like some of the British missionaries, give them the Bible in one hand and opium in the other, but bless them only with the pure word of truth. I hope the day is not distant—soon, soon may its dawn arise—to shed upon the farthest and the most benighted of nations the splendor of more than a tropical sun.

Mr. Hilliard closed by offering an amendment such as he had indicated in the course of his remarks.

PAY OF TROOPS TO BE EMPLOYED AGAINST MEXICO.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, JULY 16th, 1846.

MR. SPEAKER,—We are at war with Mexico, and I rise to speak of that war freely. It is not my intention to discuss the origin of that war, but I wish to give my views as to the manner in which it should be conducted, and to state the objects which ought to be secured by carrying it on successfully. This is not the time to investigate the causes which led to the war, but it is all-important that we should comprehend the responsibility that rests upon us, and see clearly the results of the contest. I believe, sir, it is understood on all sides that there are three questions affecting our relations with Mexico, and which must be settled before our troops are recalled: the debts acknowledged to be due to our citizens, the annexation of Texas by our government, and the boundary line between the two republics. All these are subjects of dispute, and they must be disposed of before peace is restored.

As to the first of these causes of difference, it is undoubtedly our right and our duty to enforce the payment of debts acknowledged to be just, and so long withheld; but this alone would not have disturbed the peace between the two countries. We should have endeavored to bring Mexico to a settlement of

these claims, without resorting to arms to enforce them; but, as we are now at war, all causes of disagreement must be removed, and the debts must be paid.

As to the annexation of Texas, the right of the United States to undertake and accomplish that measure is too clear to be questioned; nor can we permit Mexico, or any other power, to interfere with or to dispute that right. Our self-respect and our obligations to Texas alike forbid it.

Texas has already been acknowledged to be an independent state by England, by France, by Holland, and by our own government; Mexico could not, therefore, rightfully complain of the United States for the act of annexation. Admitting Texas to be independent for one purpose is to admit her to be independent for all purposes. There can be no qualified political independence; the very term independence implies perfect freedom from allegiance to any other power.

The truth is, sir, the annexation of Texas was a natural, proper, and inevitable result, growing out of the sympathies, the kindred blood, and the neighborhood of the two countries. Long before the event occurred, it was clearly foreseen that it would take place.

When that great political question was under discussion, I was in Europe. I had the honor, at that time, to represent our government at the court of Brussels, and in an official interview with Count Goblet D'Alviella, the Minister of Foreign Affairs, I distinctly announced to him that the annexation would take place some time before it occurred.

The whole resources of the Mexican republic, aided by European powers hostile to it, could not have prevented it. Mexico felt that her power over Texas was gone; and I learned, in that interview to which I have just referred, that she was hostile to the measure of annexation, not because she had any hope of reducing that state again into obedience to her authority, but it was her wish to interpose a feeble independent republic between her borders and our own. She desired to establish a barrier which might shut out the popular surges of this great country, lest they should submerge her; and she was actually prepared to acknowledge the independence of Texas, provided that republic would stipulate never to become annexed to the United States. While I thus state my opinion with so much freedom in favor of the right of our government to acquire Texas, I do not hesitate, at the same time, to say that it would have been wiser to have effected that great measure by treaty, and to have conciliated Mexico, than to have precipitated the question and plunged the country into war. It is impossible to deny to Mr. Clay the tribute of our unqualified admiration when we regard his course upon this question; he saw the direction which the popular current was taking, but with true courage he resisted and attempted to control it. He desired to avoid war with a neighboring government professing to be republican, and he would have treated a people too feeble to resist us with forbearance and consideration. If he had been elected to the Presidency, Texas would have been annexed, and it would have been accomplished without shedding a drop of blood.

But, sir, we are at war; we can not permit Mexico to question our right to annex Texas, and peace can not be restored between the two countries until this question is forever settled.

As to the western boundary of Texas, it is not my intention to discuss that question at this time; it is not before this forum; it will be settled by negotiation with Mexico, and it is not my desire to embarrass it by calling upon this House for an expression of opinion in regard to it.

These, then, are the objects to be attained in this war. Let us keep them steadily in view; there is great danger lest we lose sight of them.

As to the manner in which the war should be conducted, it seems to me that it ought to be pressed with vigor; that a powerful army should be sent into the field, and that every thing should be done which can be done to subdue Mexico speedily, and to compel her to submit to just and reasonable terms as the basis of peace. A protracted war is to be dreaded; it would engender a spirit of conquest, and, losing sight of the legitimate objects which are now before us, we might seek to overrun and hold Mexico in perpetual subjection.

The war ought to be conducted with humanity, but in this instance vigor and humanity are identical.

When Mexico submits to our arms, we must not insist upon hard terms in negotiating a treaty of peace; a powerful and great nation may well afford to be generous and magnanimous. We must have a speedy peace, or the lust of conquest, rising beyond our control, will impel us to carry our victorious

arms over all Mexico, and the nation will feel what Macbeth felt when he exclaimed,

“I am in blood steep’d now so far,
Returning were as tedious as go o’er.”

In concluding a negotiation with Mexico, we may find it necessary to take a part of her territory in payment of our just claims against her. It is very desirable to acquire California, and seat our power on the shores of the Pacific; but it must be freely offered to us, in payment of debts due to us, or we must pay liberally for it. It must not be torn away from a feeble republic as a conquered province.

I feel a strong desire to see our institutions established upon that distant coast, confronting, as it does, a benighted nation long sunk in barbarism, but teeming with all the elements of civilization, and which, when roused and attracted by the energy and enterprise of our population, will seek our shores, and thus bring the New World in contact with the Old in a realm where they never met before.

We need feel no apprehension as to this extension of our territorial possessions; the structure of our government will enable it to embrace the widest empire. Like the fabled tent in the Arabian Nights, its dimensions may be extended at pleasure. It will cover a small or a great people; expansion will not impair its strength.

These, sir, are my views of the war, very briefly but very frankly stated. It is impossible to overlook the advantages which may be derived from the contest in which we are engaged, but we must never forget what is due to ourselves as a Christian people; we must

never forget what is due to the cause of mankind, nor must we overlook what is due to a feeble republic. The first movement on the part of Mexico toward the restoration of peace must be met by us promptly and generously.

Every consideration demands this from us. It is far more important to preserve the principles of a free government than to acquire any territory, however extensive or however desirable it may be.

I shall vote for this bill making appropriations for the support of the troops engaged in the war with Mexico. I am for granting the largest supplies which the contest demands. It is no longer a question of peace or war; we are already engaged in the conflict, and the arms of the country must be sustained until an honorable peace can be secured.

THE WAR WITH MEXICO.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, JANUARY 5th, 1847.

The House being in Committee of the Whole on the State of the Union, and having under consideration the bill to raise, for a limited time, an additional military force, and for other purposes, Mr. Hilliard rose and said :

MR. CHAIRMAN,—The debate which arose upon referring the President's message to the several committees took so wide a range that I forbore to take any part in it, but preferred to wait until some practical question should come up which would afford better ground for what I desire to say. Such a question is now before us, and it involves the same topics. I do not wish to be understood as complaining of the spirited and interesting debate which has already taken place ; I only regret the asperities which, in too many instances, have marked it on both sides. In all constitutional governments where the representative principle is recognized, great latitude of debate must be allowed. The spirit of liberty will make itself heard wherever it exists. It spoke out in the stormy debates of the ancient republics, and it has often shaken the throne and arrested kingly power in England. In the language of Burke, "Something must be pardoned to the spirit of liberty." The course of executive power must be boldly surveyed ; it ought to be. Even in royal governments, where it is usual for the monarch in person to address the legislative bodies, it is customary, in discussing the

reply to the speech from the throne, for the widest latitude of debate to be indulged in, and the utmost freedom of remark is permitted without complaint. In England, especially, the reply of Parliament to the royal speech usually manifests the highest degree of jealousy on the part of that body for the rights of Englishmen. And shall we, who profess to have yet larger views of public liberty, attempt to restrain the utmost latitude of remark on the course of those intrusted with power? Certainly not. Previous to Mr. Jefferson's time, the American presidents came to Congress at the opening of the session, and addressed both Houses in person. It was usual, too, for each House to reply to the speech of the President; and this afforded the opportunity of discussing with freedom the executive measures. At the opening of the session of Congress in 1801, Mr. Jefferson adopted, as most convenient, the practice of sending a message to the two houses; and although this form of executive communication made a reply unnecessary, yet we are informed by the parliamentary history of the period that a very animated debate took place on the topics it contained. I trust the day will never come when, in this government, such freedom will be denied. A French king once said, "I am the State," but a President of the United States can use no such language. He occupies, it is true, an elevated and very influential position in the government, but the severest examination of his course in the exercise of his functions, in whatever direction they may be put forth, is consistent with the purest patriotism.

While, then, sir, I claim for myself, and for other gentlemen of this House, the privilege of discussing executive communications with the greatest freedom, it is not my purpose to enter at large upon an examination of the message which the President has lately sent to Congress. There are, however, some subjects which it brings before us of such magnitude, and which must so largely affect the character and happiness of the country, that I can not consent to let them pass without giving my views of them. We have reached an important point in our history. We are at war. For once, I believe in the existence of a crisis. It is not that there is any thing portentous in the elements which surround us; the nation with which we are at war is a feeble one, and we have nothing to fear from her arms. But a question which was started at the close of the last session, and which has already been revived since the commencement of the present one, is sufficiently ominous.* Like a sea-bird driven far inland, it may be a messenger which gives notice of the coming tempest. This question grows out of the great topic presented in the message, the war; and it is here, in this hall, where we have heard some extraordinary declarations made in connection with it, that I desire to speak of it. I do not wish to precipitate this great question; it ought not to have been brought here; but, as it is here, it must be met. This hall should not be converted into an arena for hot controversy, by bringing for discussion here a subject which does not fairly come

* The Hon. Mr. Wilmot's resolution as to slavery, and the Hon. Mr. Preston King's bill and speech on the same subject.

within the range of our deliberations, and which must shake, not only this Capitol, but this republic.

But, first, as to the war. This is the great theme of the message—the prominent colossal figure in the foreground of the picture, about which the other objects are grouped in humbler and smaller proportions. I suppose it must be so; our foreign relations, with the single unhappy exception referred to, are all of the most amicable kind; our internal tranquillity is perfect; the vast resources of our country are in a course of prosperous development. There is but the one check to our prosperity; but for this, the President informs us, the public debt would have been discharged, and we might now have been engaged in plans for increasing the happiness of our people, and advancing in our high career of civilization. But, though it must be admitted that war is a calamity, yet I can not bring myself to agree with those who think it best to arrest all our movements against Mexico. I concur in opinion with a distinguished senator from Delaware (Mr. J. M. Clayton), who some days since took occasion to say that he was decidedly in favor of sustaining the government in the prosecution of the war. My honorable friend from Philadelphia (Mr. J. R. Ingersoll) has avowed the same determination. I do not see that any other course is left us. The question is not now whether we shall plunge into a war or not; the question is, a war having been commenced, shall we sustain it, or shall we let it go down? Shall we infuse new vigor into the war by voting the men and the money asked for, or shall we withdraw all support from the

war, and arrest it before it has accomplished its objects?

If the question were now presented to me between peace and war, I should undoubtedly be in favor of peace. But no such election is presented to us. The spectacle before us is a war in progress, our own country on one side, a foreign country on the other; our own country, at every step which our armies take, holding forth an offer of peace—an offer which the enemy, as yet, have shown no disposition to entertain. This is enough for me. I range myself on that side on which I see the standard of my country. Over the troops now in Mexico floats the same standard which was borne through the storms of the Revolution; it was often dimmed with the smoke of battle; hostile bayonets bristled about it, and sometimes seemed to surround and overbear it; but it emerged from that long and fierce conflict covered with the light of victory. Who is willing to see that banner giving back before the enemy, or trailing in the dust? Who does not desire that it may be borne in triumph on whatever breeze it may be flung? I am sure that every gentleman here exults in its triumphs.

The fleets which now blockade the ports and cruise along the coasts of Mexico bear the same glorious flag that streamed from the mast-head of the *CONSTITUTION* when she carried the thunder of our arms to distant seas, and spread dismay among the enemies of our rising commerce; or, guarding the line of our own coast from the ravages of a formidable foe, rushed down triumphantly upon her prey. So long as that flag is flying, no matter under what sky, Amer-

ican hearts will mourn over its reverses, and rejoice in its triumphs.

The question before Congress is, "Shall we prosecute this war?" On that question I can not hesitate for a moment. The Constitution has conferred on Congress the prerogative of declaring war. We have recognized the war, and by that vote we have made the chief magistrate responsible for the mode of conducting it. So long as the President is thus responsible, by the theory of our government he is charged with the conduct of the war. He is invested with all the authority which belongs to that important station. It is for us to say how far we will go in voting supplies; and it must be a great crisis—one such as I have never yet seen, and which has never occurred in our history, which would warrant me in refusing to vote them. Other gentlemen must, of course, decide for themselves; these are my convictions. I shall, therefore, while I should be happy to see this war brought to a speedy and honorable termination, continue to sustain the government in its prosecution till such terms of peace as we ought to accept can be secured. I trust, too, that this will be the sentiment of the whole country. So far, the progress of the war has been marked by a self-sacrificing and patriotic spirit which illustrates our free institutions, and by victories as remarkable and brilliant as any which history records. Whatever regrets may be felt at the interruption of the long career of peace which our country has enjoyed, we have at least gratifying proof that it has left no enervating influence on the national character.

But we must not lose sight of the objects of the war. Every war has its object. In our two contests with Great Britain we had great objects before us. The war of the Revolution was undertaken in defense of a great principle. The spirit of liberty revolted against taxation which was too light to be felt as a burden, but which was too great a violation of principle to be borne by men who were jealous of the encroachments of power. "They snuffed oppression in the tainted gale." They struck for freedom, and in the mighty struggle which ensued they had the sympathy of mankind. The contest undertaken for liberty ended in independence. In the later war with that power, the object was the immunity of our flag; we undertook to maintain that doctrine, so important to a free commercial state, that those who sailed in an American ship should look to the flag that floated over them for protection, and find in its sanctity security against arrest by any power, upon any sea where it might be borne.

What is the object of the present war? The inviolability of our soil, and redress for past wrongs. Whenever Mexico shall be disposed to yield these, we are bound to accept them. Till then, we ought not to hesitate a moment, not only to hold what we have obtained, but to make, if necessary to the attainment of these objects, still stronger demonstrations. Until the objects of the war are accomplished, we must prosecute these objects. But we owe it to ourselves, more even than to Mexico, to take care that these objects are not lost sight of in the heat of the contest.

I trust we are not carrying on a war for aggrandizement; if so, we should have selected some other adversary, and not have made the point of our lance ring against the shield of our weakest neighbor.

Nor is it a war for the acquisition of territory. We do not wish to strip a feeble state of her possessions because we are stronger than she. But, until Mexico shall give some unequivocal sign that she is willing to grant us an honorable peace, the war must be continued, and ought to be prosecuted with the utmost vigor. I would not be understood by this to mean that I favor any particular plan for conducting the war; I simply desire to say that such wise and energetic measures ought to be adopted as will save us from the evils of a protracted conflict. There is much wisdom in the advice of Polonius to Laertes:

“Beware
Of entrance to a quarrel; but, being in,
Bear it, that the opposer may beware of thee.”

If from the heavy clouds which overspread Mexico I could see the dove of peace coming to us, bearing but a single olive-leaf in her mouth, I would most gladly hail her approach; but in the absence of any such pacific sign, I hold that we are bound, as a nation, to prosecute the war.

We ought not to strike with a view to dismember the possessions of a weaker people, but our operations ought to be characterized by unfaltering energy, and by such a putting forth of strength as shall teach those against whom they are directed that it is their interest to seek a speedy peace. I would accept the first sign of such a disposition on the part of Mexico,

and, so far from degrading or crushing her, I would meet her with the most generous terms. They should be marked by the magnanimity of a great nation treating with a weak one.

Through this war, then, we desire to reach a peace. The President avows this to be the purpose of the government in carrying it on. This is well. It should be so conducted as to leave no room for doubt upon this point. It ought not to appear that while we profess to seek to tranquillize our frontier, to fix our boundary with a neighbor, and to redress acknowledged wrongs, there is a deeper and concealed object. Are there any indications of a lust of dominion in this war? Are there any features in the events which have occurred in its progress which may be misunderstood? I am not, in a factious spirit, about to inquire whether the President has transcended his authority. I have a loftier purpose. It is comparatively a small question how the administration has used the power intrusted to it, except as its acts affect the character of the country.

I propose to inquire whether any thing has occurred which exposes us to the charge of entertaining the purpose of wresting provinces from Mexico by strength, and holding them as permanent acquisitions against her consent. Any early instructions which look to this object, or any subsequent violations of the law of nations which go to show such a purpose on the part of the administration, must dishonor our national character and impair our strength. If this be the object of the war, then is it diverted from its true and legitimate purpose. For the time being,

the President has the conduct of the war under his charge. The question is, whether the instructions he has caused to be given, and the events of the war, disclose or not a purpose of conquest, and the permanent acquisition of territory?

I shall speak to this question in a spirit of fairness, as I have already said, with the view of inquiring whether the President has abused his functions, but in the hope of doing something toward arresting a tendency in our affairs which, if it is permitted to go on, must prove alike fatal to our national character and to our free institutions.

Let us examine the instructions which those who were sent out to conduct this war took with them. I find among the papers sent to us by the President, in answer to a resolution of this House, moved by the honorable gentleman from Kentucky (Mr. Davis), a letter from the Secretary of War, addressed to General Kearney, under date of June 3, 1846, and marked "confidential," from which I will read a single insignificant paragraph:

"You may assure the people of those provinces that it is the wish and design of the United States to provide for them a free government with the least possible delay, similar to that which exists in our Territories. They will then be called on to exercise the rights of freemen in electing their own representatives to the Territorial Legislature. It is foreseen that what relates to the civil government will be a difficult and unpleasant part of your duty, and much must necessarily be left to your own discretion."

How was this discretion employed? In declaring

that the conquered provinces were *annexed* to the United States, in subverting the existing civil government, looking evidently to the permanent incorporation of the whole territory into the American confederacy. He seemed to comprehend the full scope of the meaning of the Secretary of War, that they should be provided with "a free government with the least possible delay;" and certainly no government was ever organized with greater expedition than that which this victorious general set up in New Mexico. Even Ariel doing the bidding of Prospero hardly displayed more swift obedience.

Not only was this free government provided for the inhabitants of those remote regions, but they were assured, under instructions from the same high quarter, that they would soon "be called on to exercise the rights of freemen in electing their own representatives to the Territorial Legislature." It is impossible to overlook these things, and they do seem to disclose the existence of a scheme for the conquest and the permanent acquisition of territory at that early day.

I shall now turn for a moment to the instructions from the Navy Department, and the operations under them. The Secretary of the Navy, in a letter dated June 8, 1846, and addressed to Commodore Sloat, writes :

"In like manner, if California separates herself from our enemy, the Central Mexican government, and establishes a government of its own, under the auspices of the American flag, you will take such measures as will best promote the attachment of the

people of California to the United States, will advance their prosperity, and will make that vast region a desirable place of residence for emigrants from our soil."

How evidently the permanent occupation of that vast region, by emigrants from our soil, seems to be contemplated. This idea is strengthened by pursuing the instructions given at a subsequent date, July 12, 1846, from the same secretary to the same officer:

"The object of the United States has reference to the ultimate peace with Mexico; and if at that peace the basis of the *uti possidetis* shall be established, the government expects, through your forces, to be found in actual possession of Upper California."

The instructions from the same department, addressed to the senior officer in command of the United States naval forces in the Pacific Ocean, look to the same result. They are dated August 13th, and begin as follows:

"COMMODORE,—The United States being in a state of war by the action of Mexico, it is desired by the prosecution of hostilities to hasten the return of peace, and to secure it on advantageous conditions. For this purpose, orders have been given to the squadron in the Pacific to take and keep possession of Upper California, especially of the ports of San Francisco, of Monterey, and of San Diego; and also, if opportunity offer, and the people favor, to take possession, by an inland expedition, of Puebla de los Angeles, near San Diego.

"On reaching the Pacific, your first duty will be to ascertain if these orders have been carried into ef-

fect; if not, you will take immediate possession of Upper California, especially of the three ports of San Francisco, Monterey, and San Diego, so that if the treaty of peace shall be made on the basis of the *uti possidetis*, it may leave California to the United States."

Here is a full and unequivocal avowal of the wish of the government to have the operations against California so conducted, that when a treaty of peace is made with Mexico, if the basis of the *uti possidetis* shall be established, we may be left in possession of that important and coveted territory. That this basis would be urged by our government can hardly be doubted, for it would leave us in possession, not only of all our own territory, but of vast acquisitions from Mexico. Let us add to these instructions one more paragraph, hardly less significant than those already read, from a letter addressed by the Secretary of the Navy to Commodore Stockton, and I do not see how any one can resist the conclusion that, from the very commencement of these hostilities with Mexico, the permanent acquisition of vast territorial possessions was distinctly in the view of the administration.

"You will therefore, under no circumstances, voluntarily lower the flag of the United States, or relinquish the actual possession of Upper California. Of other points of the Mexican territory which the forces under your command may occupy, you will maintain the possession or withdraw, as in your judgment may be most advantageous in prosecution of the war."

But of California, the possession was not to be given up under any circumstances whatever. I do

not undertake to say whether the acquisition of California, or any other of the Mexican possessions, is desirable or not. I am inquiring into the purpose, on the part of the government, to hold these provinces as permanent conquests. I pass over the extraordinary proclamations published to the inhabitants of California from the sea and from the land; the one professing to issue from the "Commander-in-chief of the United States naval force in the Pacific Ocean," and the other dated in the City of Angels, from the "Commander-in-chief and Governor of the Territory of California," and am willing to rest the case upon papers emanating from those who hold a confidential relation to the executive.

But, sir, whatever are to be the results of the war, it ought not to be carried on so as to violate the law of nations. That code is not to be disregarded; it is sacred, and ought to be solemnly observed by us, and by all other nations.

It is not a collection of abstract essays on public questions of right and wrong. This is a law which is never silent; it speaks in the midst of arms. It is as diffusive as the air we breathe; it spreads itself by a sort of omnipresence over land and sea. Taking its rise in a sense of right, which even in early times was powerful enough to vindicate itself, it has gathered new strength with the advance of civilization, and it is attended in this age by sanctions which no people may disregard. Gustavus Adolphus, in all the wars which he undertook for civil and religious liberty, carried the book of Grotius with him as his guide. We should be always ready to do this law

homage. It realizes Hooker's noble description of law in general: "Of law there can be no less acknowledged than that her seat is the bosom of God, her voice the harmony of the world; all things in heaven and earth do her homage; the very least as feeling her *care*, and the greatest as not exempt from her *power*."

Now, what is the language of this law in regard to the rights which result from conquest? Vattel, who has been referred to more than once in the course of the remarks which have been made on this subject, says:

"The conqueror who takes a town or province from his enemy can not justly acquire over it any other rights than such as belonged to the sovereign against whom he has taken up arms. War authorizes him to possess himself of what belongs to his enemy; if he deprives him of the sovereignty of that town or province, he acquires it, such as it is, with all its limitations and modifications. Accordingly, care is usually taken to stipulate, both in particular stipulations and in treaties of peace, that the towns and countries ceded shall *retain all their liberties, privileges, and immunities*."

This is the extent of the rights which the conqueror acquires over possessions which the opposing sovereign held in subjection to his authority, but which did not fully belong to him; and it is the same right which a successful invader acquires over cities or provinces which he overruns, but which are not regarded as permanent acquisitions, "to be thenceforward united with the new state."

“But if the conqueror thinks proper to retain the sovereignty of the conquered state, and has a right to retain it, the same principles must also determine the manner in which he is to treat that state. If it is against the sovereign alone that he has just cause of complaint, reason plainly evinces that he acquires no other rights by his conquest than such as belonged to the sovereign whom he has dispossessed; and, on the submission of the people, he is bound to *govern them according to the laws of the state.*”

Now, sir, this defines precisely the extent of our rights over those Mexican states which are occupied by our armies. We have expelled the sovereignty of that nation from those territories, and have acquired it. We hold the supreme power there, and the people, having submitted to our arms, are “to be governed according to the laws of the state.”

The argument made by the gentleman from Virginia (Mr. Bayly) on this subject is an able one; but he misapplies the law, which he very correctly lays down. He says, “We acquire the rights of the conquered nation, whatever they are,” and quotes from Wheaton in support of his proposition. No one will question the authority or the law, which asserts that “the right of the state to its public property or domain is *absolute*, and excludes that of its own subjects as well as other nations,” and which defines the national proprietary right in respect to those things belonging to private individuals or bodies corporate within its territorial limits as *absolute*, as far as it excludes other nations, and as only *paramount* in respect to members of the state. The other doctrine,

too, which has been laid down, that of the "*uti possidetis*," will be as little questioned:

"The existing state of possession is maintained, except so far as altered by the terms of treaty. If nothing be said about the conquered countries or places, they remain with the conqueror, and his title can not afterward be called in question."

But, sir, this law applies to the rights acquired by the conqueror over the *property* found in the conquered territory, whether public or private, and determines the results which would follow the conclusion of a treaty of peace under a certain state of facts. It does not touch the question of political rights, immunities, and privileges. The question is, when the conquered sovereignty gives back before the advancing conqueror, and retires from the territory in dispute, to what does the conqueror succeed? To the rights of the conquered sovereign; that is, to the right of *administering* the government of the conquered territory while he holds it. But is the civil government to be subverted, and all existing internal laws to be displaced, and principles and forms which the conqueror may happen to think good to be imposed arbitrarily upon the inhabitants of provinces temporarily subjected to his power?

This is the point to be regarded; for, I repeat, the question as to property does not come up here; it is a question of political right—a question of far higher interest and importance.

When the gentleman from Virginia comes to speak of our *duties* in respect to the country now held by military occupation, he insists that "we are required

to establish temporary civil governments, or, rather, '*quasi*' civil governments—civil in their form and rules of proceeding, and military in their origin; established to protect the rights of persons and property of the vanquished during the military occupancy of the country. The right, nay, the duty, to establish such governments involves the right to determine upon its form. What it shall be is purely a matter of expediency and convenience. Upon principle, it would seem that it ought to be assimilated as near as possible to the forms of the conquering nation. As in all wars by land the acquisition of territory is looked to as probable, the sooner the people are introduced to the form of government under which they are in future to live, the better. And the vanquished have no right to complain, but rather to be grateful, when the form adopted is not worse than the one superseded. And even when it is worse, they must submit to it as the fortune of war."

I must dissent from all this. I can not admit that these principles apply to our rights over the Mexican territory now held by our arms. They apply to complete conquests and permanent acquisitions, not to such as are held in temporary possession merely.

Vattel, in laying down the doctrine, expressly refers to a conquered town or province which has passed "into the power of the conqueror. Thenceforward united with the new state to which it belongs, if it be a loser by the change, that is a misfortune which it must wholly impute to the fortune of war." When does the right thus to treat the conquered territory arise? When, in the language of the same writer,

“by the treaty of peace, or the entire submission and extinction of the state to which those towns and provinces belonged, the acquisition is completed, and the property becomes stable and perfect.”

I readily admit, that if a conquered possession is to be permanently held and incorporated with the territory of the conquering nation as its own, the conqueror has a right to extend his own laws over it absolutely, but not when the tenure is temporary only. In that case, the country must be governed by the subsisting laws. Those who so hold it are not to expel the laws which existed there before it came into their possession. A gentleman from South Carolina (Mr. Holmes) promptly put this matter in its true light, and another gentleman from the same state (Mr. Woodward) has clearly and forcibly exhibited the law of nations upon the subject.

It may well be remarked here, too, that it is not for the conquering general to say what shall be the form of government of the country which he has seized. He is bound to maintain his military occupation of it, but he can do no more. Nor can the President provide a civil government, for he merely holds the supreme command of the forces; it is for this government, acting through its several departments, to establish laws over it.

These principles are not contradicted by the decision of the Supreme Court in the case of the United States *vs.* Rice, which has been referred to. The question involved there was one of property, as affected by a change of sovereignty, not a question of civil liberty or of political rights. The facts were

these: Goods were imported into Castine in September, 1814, during its occupation by the enemy, and remained there until its evacuation. Upon the re-establishment of the American government, were they subject to duties imposed by our revenue laws? The Supreme Court declared they were not, upon the principle that the sovereignty of the United States over the territory in possession of the British troops was *suspended*, and the inhabitants passed under a temporary allegiance to the British government, and were under such laws as they chose to recognize and enforce.

The proclamation of General Harrison has been referred to, but there is a broad contrast between that document and the proclamation of General Kearney. I feel a profound interest in the memory of Harrison; it is consecrated by good deeds, and has received the seal of death. A long life, marked at every step by purity in his personal relations, and by his respect for public law, was closed in the midst of the gratulations which greeted him from all parts of this great republic on the occasion of the most astonishing political victory which the annals of this country can show.

In referring to his proclamation, dated the 17th of October, 1812, we find no subversion of subsisting laws; no appointment of judges, attorney general, sheriffs, and a hundred other officers; no new and complex system of laws instituted. True, the commissions of all magistrates were suspended, but their authority was still continued under that of the United States. In taking possession of Upper Canada, he said to the inhabitants,

“The district is now in the quiet possession of our troops; it becomes necessary to provide for its government; therefore we hereby proclaim and make known, that the rights and privileges of the inhabitants, and the laws and customs of the country, as they existed or were in force at the period of our arrival, shall continue to prevail.”

Had a course like this been pursued, we should have been spared the present controversy. The spectacle would not have been presented to the world of our indecent haste to provide new forms of government the moment we had obtained possession of one of the provinces of our enemy.

I have thus, sir, endeavored to present the real question, which is not whether a milder or harsher form of government has been introduced by our army into the Mexican states which we hold in subjection, but whether the occupied provinces are regarded and treated as permanent conquests already annexed to this country. It is not my object to cast any censure either on the President or his officers; but the instructions to which I have referred, and the disregard of obvious principles of international law, seem to disclose the purpose of making this a war of conquest. Indeed, some gentlemen upon this floor, friends too of the President, do not hesitate to avow that it is such. Among other significant declarations on this subject, a gentleman from New York (Mr. Gordon) informed us some days since that they intended “to keep what we have.” Against this rising lust of dominion, we ought at once to take a position and set up a standard. If it should spread and

gather strength, it will prove fatal to our free institutions. Our very successes will ruin us. Cicero attributes the decline and fall of the Roman empire to the oblivion of the great principles which they had recognized in their earlier days and humbler fortunes. In the early extension of her power, she became, in his language, "the patroness rather than the mistress of the world." All this passed away with the triumphs of Sylla. Our government is one of consent; it rests so lightly upon its citizens that its weight is not felt. If we should become engaged in wars for the extension of our sway, overrunning neighboring states, and bringing into our confederacy a reluctant people, the whole character of our political system will be changed; it will be converted into a political despotism, and we shall furnish another grand and instructive, but unhappy instance of the failure of institutions intended to provide for the protection of human liberty.

"Such is the moral of all earthly tales;
'Tis but the same rehearsal of the past,
First freedom, and then glory; when that fails,
Corruption, slavery, barbarism at last;
And history, with all her volumes vast,
Hath but one page."

I am not averse to the extension of the territory of the United States, nor do I feel on that subject the apprehensions which haunt the minds of some gentlemen. Such is the elasticity of our federal system of government, that it may be extended over any space, great or small. It resembles the fabled tent in the Arabian Nights, which could cover with its folds few or many. Steam and the magnetic tele-

graph overcome space, and bring together remote parts; but if territory is to be acquired, let it be in a legitimate way, by purchase, or by the coming in of a neighboring people who have attained a high degree of civilization. If our institutions are to extend themselves, let it be by their own inherent and peaceful power, not by the aggressive force of arms. Our national character and the purity of our political system are of far more consequence to us than any amount of territory which we can acquire.

There are other topics to which I must now turn. The gentleman from the State of New York, to whom I have already referred (Mr. Gordon), informed the House that "the people of the United States meant to hold on to California; they meant to conquer it, and make it a permanent acquisition. That was what they meant to do with it. The President neither meant to do, nor had he the power to do, any thing as to the disposition of our conquests. Gentlemen might be very easy; in due time, the American people would take proper care both of California and New Mexico. Of one thing they might be assured, those provinces would never return to Mexico again." This is explicit enough, and we ought to feel under obligations to the honorable gentleman, who is a member of the party in power, for an avowal so frank and unequivocal. Not content, however, with enlightening us as to the objects of the war, he proceeds to inform us upon "another subject, and one of no trifling moment. The people of the United States—a vast majority of them, at least—were not only for the war, and for retaining this conquered ter-

ritory as an indemnity for the robberies and spoliations of Mexico, but they meant to make it a FREE TERRITORY."

Such, then, is a bold declaration of the purpose to hold New Mexico and California as permanent acquisitions, to be incorporated with this confederacy, and to exclude slavery from the whole territory.

In the same spirit, another gentleman from New York (Mr. Preston King) brought forward yesterday morning a measure which looked to the acquisition of territory from Mexico, and which provided for the total exclusion of slavery from it; and to-day, taking advantage of the permission which the House granted him to make a personal explanation, he has spoken at length upon this subject, insisting upon the permanent annexation of new territory, to be hereafter converted into FREE STATES.

I regret the introduction of this subject. It is impossible to overlook the danger which it brings with it. Gentlemen belonging to the party in power insist that this war shall be converted into a war of conquest; that large and important states, stretching through several parallels of latitude, shall be torn from Mexico, and incorporated into our confederacy; that peace shall be made upon no other terms, no matter how ample the remuneration tendered for past wrongs may be; and that the territory thus acquired shall be made to increase the preponderance of one section of the Union, by legislating here in advance as to the character of the population which shall overspread it.

I take now the ground which I took before on the

Oregon question. We have no right to say to the executive department of the government what shall be done in settling the terms of a treaty, and I therefore consider it highly improper to introduce such projects here as have been referred to.

The attempt to fix in advance, by a vote of this House, the terms of a treaty hereafter to be concluded with Mexico, is a solemn interference with the province and duties of another department of this government. That duty belongs to the treaty-making power, which, by the Constitution, is vested in the President and the Senate. It is for this House to discuss questions of a very different character. Each department of the government should be left to the undisturbed exercise of its own functions. It is as unwise as it is unbecoming in us to leave the sphere of our legislative duties; we shall find full employment in a faithful attention to them in the present state of our national affairs, without yielding to the promptings of a discursive philanthropy, which can only injure where it seeks to guide. If this scheme of acquiring territory is persisted in, and the power of this government is to be brought to bear upon it so as to exclude slavery from every part of it, it must be seen, by all who have bestowed any reflection upon the history of the organization and progress of our political system, that the most serious, I may say disastrous, results will follow. This Union can only stand on those compromises which I regard in their sacred obligation as second only to the Constitution. The compromise which has already taken place on the Missouri question was sufficiently disadvantageous to

the South. The South does not interfere in the concerns of the North. A lofty feeling of brotherhood for the people of this whole country is cherished there. I, for one, rejoice in the splendid achievements and unprecedented success of the industry and enterprise of New England as much as any man. I turn with pride to her revolutionary history. I admire the genius which she sends to our national councils. I survey with pleasure the vast resources and rapid growth of this whole country. Why is it, then, that no opportunity is lost to proscribe the South, to subject our internal policy to censure, and to direct against our institutions the sentiment of mankind, both at home and abroad? Gentlemen have transcended the rules which should govern them here; if they proceed, they will rend the bonds of this Union as Samson burst the withes that bound him.

Is this the doctrine to be acted on, that territory must be acquired, and, wherever acquired, free labor may be suffered to go there, but the men of the South must not take their slaves with them there?

When this great question was agitated in 1820, a Northern man, Mr. Holmes, of Maine, said that to regulate slavery was the attribute of sovereign power. He used this language:

“To regulate the relation between different members of a community, or to establish or prohibit slavery, is an attribute of sovereign power. * * * *

The gentleman from New York has told us that a slave representation beyond the original states is unequal, and contrary to the spirit of the compact. I know not where the gentleman derived his authority;

surely not from the Constitution. It is there argued that the representation shall be apportioned according to the number of free persons and *three fifths* of the slaves, not in such states as then existed, but 'in such as *may* be included within the Union.' This language is explicit and positive."

Mr. Macon, of North Carolina, took part in the same debate—that which grew out of the Missouri question. That good and great man, at once calm and wise, was distinguished for a patriotism which was comprehensive enough to embrace his whole country. He said,

"The gentleman from New Hampshire has said that the Constitution was a compromise as to slaves. This is no doubt true, but not a compromise to emancipate. The states that held them could free them, as others had done, without asking or consulting the convention or Congress. But it was a compromise as to representation, and nothing else."

This is the language of truth and justice. But we are told now that the North will hold the conquered Mexican provinces, but that neither I, nor any Southern man, nor our children, nor our children's children, shall set a foot within them unless we consent to abandon our property. This is not a place to discuss the question of slavery. It is a subject that should never be named in this hall. It is an institution which belongs to the Southern States, and gentlemen do those states great wrong to press them or that subject here.

The Missouri Compromise did them much injustice. Suppose the South should select a particular institu-

tion existing in the Northern States, or a particular feature in Northern society—the labor of operatives in factories, for instance—and undertake to denounce it and overthrow it, how would it be regarded? What would they think and say of such a proceeding? Why, then, is this course pursued toward the South?

The slave population must have a representation somewhere. By the compromise of the Constitution, the slave states are deprived of a portion of their political importance. What, then, is to be gained by limiting slavery to the precise extent which it now occupies? Will it ameliorate the condition of the slave? Would their introduction into new territory increase their number? The object is clearly a political one, thinly disguised by an assumed philanthropy. Suppose you could even succeed, by keeping the slavery within its present limits, in bringing about its abolition, would not the political importance of these people be increased by rising from a *three fifth* to a full representation?

If there are other states to be formed at our side, under the same burning sun, and covering the same fertile plains, will they not have common interests, and ought they not to have common institutions and common sympathies? Why is every occasion seized on to bring this unprofitable and dangerous question into the field of controversy? I ask, in the name of the Constitution, and of the men who formed our institutions as they exist, that this subject shall not be made here a theme for angry disputation. Let not gentlemen disturb the regular course of business in

this body by rising in their places, and meeting us with projects and speeches such as those to which we have listened. If this is to be done, this government will become unequal, and its days will be numbered. The spirit still lingers in the South which produced our Revolution—a spirit which will contend for political rights to the very last. The people of those states love this Union; they glory in the past, and hope for the future. They will cling to the pillars of the CONSTITUTION as long as they can; they will listen to the parting words of WASHINGTON, still vibrating in their ears, as long as endurance is possible; but, when they find that they are to be down-trodden, they will be constrained, though it be with deep grief, to give up an alliance which is to be marked only by wrongs and oppressions, and gather about their homes and their property.

Sir, I trust that hour will never come. The spirit which has this day been manifested by the member from New York ought to be rebuked, and the blame for the introduction of this subject ought not to be thrown from him upon the gentleman from Tennessee (Mr. Gentry), who spoke of it only because he had the sagacity to see the question coming. It is time to meet it. If it is provided that the states on this side the Mississippi shall be equally balanced in respect to slavery, why should not the same balance be permitted to exist on the other side?

As to the acquisition of Mexican territory, it is a question which belongs to the treaty-making power. We should not now discuss it. But, as it has been thrust upon our attention, I have felt it my duty, as

a Southern man, to express my own views. If territory is to be acquired, let it be subjected to compromises which have been already formed. I do not wish for any violation of the Missouri Compromise. Let it stand in letter and spirit. Let the line upon which it runs be extended to the Pacific Ocean.

I hope to see that worst of all party spirit, the spirit of geographical party, forever banished from this hall. If kept alive here, it will lead to the fiercest collision which has ever been witnessed in this country.

When it becomes dominant, and the rights of the North are exalted above those of the South—when fraternal affection is lost in a struggle for party ascendancy—when patriotism dwindles down into a narrow regard for a mere section of our country, then will this government, erected by our fathers for the protection of human liberty, and which has awakened throughout the world the noblest hopes, totter to its fall.

H

RELIEF FOR IRELAND.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, MARCH 3d, 1847.

I EARNESTLY desire, Mr. Speaker, the passage of this bill. It makes no appropriation of money, but it authorizes the employment of two of our ships, the JAMESTOWN and the MACEDONIAN, to bear the contributions of individual benevolence to the starving people of Ireland. No object can be nobler than this. Never has a stronger appeal been made to the sympathies of a people than that which Ireland in her destitution makes to ours, and I trust that the House will not hesitate to respond to it promptly, generously, nobly. Here is an opportunity to demonstrate that, as a Christian nation, we feel the full elevation and unselfishness of the divine sentiment, "It is more blessed to give than to receive."

Let us promptly grant to the Secretary of the Navy the authority which this bill asks for, that the graceful assent of the government may be given to a noble act of individual munificence. Such opportunities do not often present themselves to nations, and they are too precious to be lost.

There would be, as the honorable gentleman from Massachusetts (Mr. Winthrop) has remarked, a beautiful coincidence in the name of one of the vessels to be employed in this great errand of charity. The JAMESTOWN at once calls up the most interesting asso-

ciations connected with our own early history; we look back to that feeble settlement on the shores of Virginia, when the colonists, far from the mother-country, and surrounded by a savage and fierce race, were straitened for the means of subsistence, and when they awaited long and anxiously the arrival of a ship from England as their only relief from impending famine.

But, sir, it seems to me that the coincidence between the name of the other vessel and the service to which it is destined would be equally striking and happy: the MACEDONIAN reminds us of that Macedonian cry which reached the ear of the great apostle in the midst of his extended field of labor, which knew no limits but the boundaries of the peopled world—"Come over and help us."

I trust that no impediments will be thrown in the way of such an enterprise as this. Let the world behold the spectacle of the youngest among the nations ministering to the sufferings and the wants of one of the oldest. There is a moral power in such examples which can not be lost upon mankind. The proudest triumphs of war—the grandest displays of a nation's power in mustering invincible armies and sending out mighty fleets—all the glory ever won upon the world's most renowned battle-fields—all the achievements of the greatest captains in ancient or modern times—all such glory as this must pale before such an act of national sympathy and benevolence as the world will witness when the American ships, freighted with food for a starving people separated from us by the breadth of the Atlantic, shall

drop their anchors in the waters which wash the coast of Ireland. To nothing in all our annals will the philanthropist turn with higher satisfaction, when he searches the pages which record our national progress and glory, than to the passage of this bill by the Congress of the United States.

I confess, sir, that there is something in the condition of Ireland, and in the character of the Irish people, which profoundly interests me. Her wrongs—the heroic spirit of her people—the genius and the eloquence of her sons—the spectacle of the bravest and the most generous of them dying on the scaffold, or sent into exile—all this interests and binds me.

In all the battles which have decided the fate of Europe in our time, and which have given the British empire the first place among the great powers of the world, Irish valor has turned the fortunes of the day, and Irish blood has been spilled with generous profusion and uncalculating ardor. Yet to-day her people are under the ban of the government which they have upheld; the fertile soil of Ireland, teeming with abundance, is made to support foreign landlords—absentees, who squander abroad the wealth which Ireland yields, and the cry of famishing thousands comes sounding across the waters into our ears.

Sir, we can not be deaf to that cry. Let us send our national ships to her shores; let the flag of the United States, as it floats in the breezes which fan the Irish coast, be hailed by that people as the ensign of hope and deliverance; and let the heart of

Ireland receive the assurance that in America there is a sympathy with suffering ever ready to minister to and to relieve the destitution of a brave and generous nation.

SMITHSONIAN INSTITUTION.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, DECEMBER 18th, 1847.

Mr. Hilliard undertook to move the postponement to a day certain, and then proceeded as follows :

MR. SPEAKER,—It so happens that I am the only member of the Board of Regents of the Smithsonian Institution now entitled to a seat on this floor. It is important to secure the good-will of the country in behalf of an enterprise so elevated—one might say, so sublime.

There exists some misconception in regard to the institution, and idle rumors are afloat which may affect it injuriously. Scientific establishments are not to go out and court popularity, but they must not be indifferent to public sentiment. Before entering upon the stormy and engrossing debates in which we shall presently be engaged, I desire, by a simple statement of facts, to give the House a view of the history, condition, and plans of an institution which so strongly appeals to us for protection.

Mr. Smithson's bequest was a noble one. He gave his whole property to found, at the City of Washington, "an establishment for the increase and diffusion of knowledge among men." America was selected as the field for so wide and beneficent a design. Young, vigorous, rapidly increasing in numbers, this country afforded the best ground upon which to rest

an establishment which was designed to enlighten mankind.

Entering into the spirit of this bequest, Congress passed an act making the most liberal provision for carrying it into practical effect. The whole sum, with its accumulated interest, was turned over to the establishment created by the act, composed of the President and Vice-president of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Postmaster General, the Attorney General, the chief justice, and the Commissioner of the Patent Office of the United States, and the Mayor of the City of Washington, during the time for which they shall hold their respective offices, and such other persons as they may elect honorary members. The sum amounted to five hundred and fifteen thousand, one hundred and sixty-nine dollars, and a further sum of two hundred and forty-two thousand, one hundred and twenty-nine dollars, being the accumulated interest upon that sum since it came into possession of the government. The principal sum was forever to remain untouched; the interest was appropriated to the erection of the building and incidental expenses. The building to be erected was to meet the provisions of the act, which required it to contain suitable rooms or halls for the reception and arrangement, upon a *liberal scale*, of objects of natural history, including a geological and mineralogical cabinet; also a chemical laboratory, a library, a gallery of art, and the necessary lecture-rooms. Another section provides that, in proportion as suitable arrangements

can be made for their reception, all objects of art, and of foreign and curious research, and all objects of natural history, plants, and geological and mineralogical specimens, belonging or hereafter to belong to the United States, which may be in the City of Washington, shall be delivered to the care of the institution, and so classed and arranged as best to facilitate the examination and study of them in the building to be erected. This at once empties the great hall of the Patent Office, three hundred and fifty feet long, of its contents. It must be at once seen that the Smithsonian building ought, if it is to accommodate these great and various objects, to be of ample dimensions. This building, too, was to be erected without delay. The site was to be selected "*forthwith*," "and so soon" as that was done, the Board was to proceed with the erection of the building.

The Board of Regents faithfully studied the will of Mr. Smithson and the law creating the establishment.

Two things were to be accomplished. First, to *increase* knowledge by original research; and then, second, to *diffuse* it by suitable and efficient agencies; or, in the language of the venerable and distinguished gentleman from Massachusetts (Mr. Adams), "to spread knowledge throughout the world."

The task devolved by Congress on the Regents was no light one. They were called on to organize and set on foot this establishment, so beneficent in its conception, so comprehensive in its design. The act of Congress prescribed certain parts of the plan, and

left the other parts to be devised by the Board of Regents. That part of the plan which was embraced in the act of Congress had almost exclusive reference to the *diffusion* of knowledge. The means which provide for the *increase* have been supplied by the Regents.

We have been charged with being wildly extravagant, laying out large sums in purchasing old books. A story has been circulated that we paid \$2500 for an old and rare copy of the Bible. Now, sir, no man loves the Bible more than I do, but I could not have consented to an expenditure of that sort. I dare say no one member of the Board ever dreamed of such an expenditure.

Again, some have charged us with being too utilitarian, confining our operations to an improvement of the physical condition of mankind. We have certainly endeavored, in our plan of organization, to provide for the entire wants of mankind, and to meet the spirit of the age. We have brought into our service a gentleman who stands in the front rank of the science of the country—I mean Professor Henry, formerly of Princeton. His name is well known in Europe, and is associated with that of Faraday, and Arago, and Quetelet. I have before me the plan of organization adopted for the operations of the institution, to which I desire to call the attention of the House, but which (as Marc Antony said, on a much more important occasion, about the will of Cæsar), pardon me, I do not intend to read. I wish every gentleman in the House would read it, for it would receive on all sides a warm and generous support.

I desire to submit a few remarks in regard to our building. We were authorized by Congress to expend \$240,000 in its erection; but, in view of the wide field of knowledge to be cultivated, the Regents resolved to save a part of this sum and add it to the principal. Keeping in view the great interests to be provided for, it was resolved to erect a building of proportions sufficiently ample to meet the requirements of the act of Congress, and of a style which should not offend the eye. This has been effected; a contract has been entered into, and a plan of expenditure agreed upon, which, while the building is gradually constructed, will carry out the plan to full completion, and at the end of five years from the time of its commencement. So far from having expended the sum appropriated by Congress for the purpose, we shall have, after erecting the structure, providing for its warming and ventilation, and the inclosure of the grounds, \$140,000 to return to the principal sum. In the mean while, we are carrying on the operations of the institution, stimulating original researches, publishing contributions to science, and gradually increasing our library. At the same time, we pay our debts as we go on. This is, of course, accomplished by using the interest on the \$240,000 for the building, and the annually accruing interest on the principal fund for meeting the regular expenses of the institution.

The transactions of the present year are highly interesting, and will soon be published in a volume, which will compare well with similar publications in Europe.

With the building, so far as it has gone, all paid for, and every debt discharged, we shall have at the end of the year \$10,000 more than we received from Congress.

Is there any necessity for a standing committee of this House? How is the Board of Regents composed? The act of Congress declares that it shall be constituted of the Vice-president of the United States, the chief justice of the United States, the Mayor of the City of Washington, three members of the Senate, three members of the House of Representatives, together with six other persons not members of Congress. Each house of Congress, it will be perceived, has three members of the Board of Regents; and it is required by law that the Board shall submit to Congress at each session a report of the operations, expenditures, and condition of the institution.

At the last session I presented a full report, according to law, which I now have before me; it was printed and circulated. Another report is about to be presented, embracing the report of the building committee, a paper containing some three hundred pages, full of useful information, which I should be happy to see printed. Is it, then, necessary to appoint a committee? Is it proper? Is it becoming? A committee of this House appointed "to superintend the affairs of the Smithsonian Institution!" This committee will bring under its supervision the Vice-president of the United States, the chief justice, three senators, three representatives, and six citizens at large, selected because of their character and at-

tainments. May I most respectfully ask, Who will superintend the affairs of that committee of five? Where is the necessity for thus complicating the machinery of an institution which ought to be left to enjoy the repose which science loves?

I hope, sir, that this institution, so important to this country and to mankind, will not be launched on the ever-heaving sea of politics. If that should happen, we should soon lose sight of land; storms and shipwreck would await us, and the hopes which crowned our noble enterprise in its commencement would perish with us.

I thank the House for the attention with which they have heard these remarks; it evinces the interest which they feel in an institution which claims their protection.

Mr. Hilliard concluded by moving to lay the proposed rule on the table.

THE MISSION TO ROME.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, MARCH 4th, 1848.

MR. CHAIRMAN,—I regret, sir, that the opportunity has not been afforded me of replying to the speech of my honorable friend from Pennsylvania (Mr. Levin) before the present time. The committee are now just about to vote on the appropriation which provides the means of opening diplomatic intercourse with the Papal States. The speech was remarkable for the beauty of its language, and the elevated tone of many of its sentiments; but it lacked one great quality—liberality. There was about it nothing of toleration. It disclosed none of the spirit of the beautiful sentiment of St. Augustine: “Let there be charity in all things.” I can not, of course, within the few minutes allowed me, attempt an elaborate reply to the speech of the honorable gentleman, but I shall seek an early occasion to do so, when I hope to be able to show that there is much in the present condition of Italy to awaken the hopes of all men who watch with interest the progress of reform throughout the world. In the mean while, let us not, in our impatience, forget that there is a mighty difference between reform and revolution. A reformation is brought about by the steady but gradual march of truth, while a revolution, like the earthquake, too often upheaves only to overthrow and crush.

That a reform is begun in Italy no man can doubt who will take the trouble to compare the present political state of that country with that which it exhibited previous to the accession of the present pontiff. The spirit of reform is thoroughly roused in that beautiful and classic land. It can never be put down. While a representative of the freest government on earth may be well employed in observing the progress of liberal principles in that interesting and important part of Europe, and may, at the same time, aid in diffusing a better knowledge of our political system, I can not discover that we can suffer any injury from such an intercourse.

In my judgment, sir, neither Christianity nor free principles have any thing to fear from a conflict with opposing powers. I would send a minister to the Papal States as I would to any other power; I would encourage every reform in the government; I would cheer the friends of freedom in all Europe, by sending a minister from the United States of America, where the noblest toleration is granted to all opinions, to reside at a court where hitherto the policy has been to crush all freedom of thought and action. It would be a spectacle of high moral interest to see such a representative from republican America taking his post amid the ruined temples and arches of a country where, in other days, republican Rome exhibited to the world its colossal proportions.

Sir, I do not mistake the Pope for a Republican; far from it; but I recognize him as a reformer. I desire to send to all the states named in this bill ministers resident in the place of *chargés des affaires*.

They would be accredited to the sovereign, while *chargés des affaires* would be accredited to the Minister of Foreign Affairs.

My honorable friend and myself do not differ in our horror of an intolerant and dangerous religious system, but we do differ in our views of the true policy to be pursued toward the papal power. We both desire to sustain the Bible, and to vindicate Protestant Christianity. I need not say that I am no partisan of the Pope; on the contrary, there breathes not a man whose sympathy with the Protestant cause beats stronger or quicker than my own. I can never forget its battles nor its victories, its persecutions nor its triumphs. But, sir, I solemnly believe that *toleration* is the *wisest* as well as noblest policy.

The gentleman has been so indiscreet as to mention the nineteenth century. Sir, there has been a time when such an argument as we have heard to-day would have been appropriate. It was that dark period when the dungeon, the Inquisition, and the stake claimed as victims all who were convicted of heresy by a tribunal usurping the authority of God. But in this nineteenth century I am surprised to hear such views in an American Congress, from a gentleman so enlightened as my friend from Pennsylvania.

He asks, What reforms has the Pope granted? I answer, that he has expelled from power a Secretary of State distinguished for his despotic and harsh opinions, and put in his place a man of liberal views; he has thrown wide a door for the admission of his people, without respect to rank, who may come with petitions to him; he has caused a box to be placed

in the Vatican, where all who desire to submit their complaints to his own eye may deposit a statement of their wrongs; he has assembled a council to advise him as to the wants of his people; and if he had done nothing more than to transfer his alliance from Metternich to Louis Philippe, I should hail that as a great step in the progress of reform.

Rely upon it, sir, the spirit of reform is waked up in Italy. It will "not down at the bidding" of armed and imperious Austria, or any other human power. I would send a minister from this republic to cheer it, to observe it, to report its progress. That spirit will, I trust, yet rekindle the fires upon the ruined altars of freedom throughout Italy.

Our true policy is to extend our peaceful relations with the world. We have nothing to fear from an intercourse of that kind with other powers. Truth is clad in more than triple steel, and I would bid her spread her standard in the very midst of the world, and take her station in front of the Vatican. By keeping the Papal See isolated, you strengthen it. It carries on its agencies in secret. Bring it upon the open field; do not shun it; bring it into open intercourse with a free Protestant nation, and civil and religious liberty will achieve new triumphs.

A GOVERNMENT FOR OREGON—POLICY OF THE ADMINISTRATION.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, MARCH 30th, 1848.

The House being in Committee of the Whole, and having under consideration the bill to establish a Territorial Government in Oregon, Mr. Hilliard said,

IN rising to address the committee, I do not propose to discuss the provisions of the bill now before you, but there are some topics which stand connected with the general subject upon which I desire to give my views. The bill provides for the organization of a territorial government for the people of Oregon. It is understood that negotiations are now pending with Mexico which will probably result in the extension of our territorial possessions. We shall soon be called on to provide a government for the people of New Mexico and of Upper California. I am not anxious to engage in a premature discussion of topics which must come up when that legislation is entered upon. I hope that the wisdom and moderation which have been displayed heretofore, in dealing with great questions affecting the interests of the people of this country, will characterize the legislation of Congress when that measure comes up for consideration, and that the political rights of the South will be regarded. They must be; the South will aim at no exclusive advantages, nor will it submit to unjust and humiliating restrictions. The gen-

tleman who last addressed the committee on this question (Mr. Smart, of Maine) stated that the war in which we have been engaged with Mexico was not undertaken for the acquisition of territory, but to quiet the title to Texas.

My honorable friend from Georgia, too (Mr. Cobb), some time since endeavored to make it appear that it was impossible to condemn the act of the President in ordering the advance of the army upon the Rio Grande, without condemning the previous act of the government in annexing Texas to the United States, and, at the same time, including in our censure the act of Congress which voted the supplies necessary to carry on the war with Mexico. An honorable gentleman from South Carolina, for whose opinions I entertain a high respect (Mr. Rhett), has entered into an elaborate vindication of the policy of the administration, in which he declares that the President was exerting his constitutional functions in ordering the army to the Rio Grande. Now, sir, I wholly dissent from all these views; and I shall, as rapidly as possible, state my objections to the course of the President and the policy of his administration in regard to the Mexican question. The time has arrived when we may be permitted to survey the ground over which we have passed since the opening of the war with Mexico. Hostilities are suspended; peace is at hand—a peace which is, I trust, to prove a firm and lasting one between the two countries. It is not my purpose to enter into an elaborate investigation of the causes which gave rise to the war; that ground has been fully explored, and I should hardly hope to

come back with a single discovery. I desire, however, to hold the administration up to its responsibility. A war may be provoked by causes which would fully justify it, and yet be precipitated by an unconstitutional act. The President, in ordering the army to a position on the Rio Grande, clearly usurped powers not conferred on him by the Constitution. Texas was annexed to this country by a resolution which left the western boundary of that state open, and provided that it should be ascertained and fixed by negotiation.

If the President had become convinced that Mexico would decline that mode of adjustment, and had satisfied Congress that a resort must be had to arms, we should have been at liberty to claim the Rio Bravo as the western boundary of Texas, and to direct the President to throw in a military force for its defense. But, in the absence of such a declaration on the part of Congress, the order of the President to General Taylor to take up his position on the banks of that stream was a gross, palpable, violent usurpation of authority. No array of grievances committed by Mexico against this country will justify that order; no circumstances which existed could vindicate that act of the President, while they may justify the act of Congress, and vindicate its recognition of this war. I do not deny that there was ample ground upon which to rest a declaration of war against Mexico. I am not disposed to deny that there were hostile threats and warlike preparations on the part of that republic; but I do deny that the President had any constitutional authority whatever to decide the

question of peace or war. That was a question for the decision of Congress; the Constitution lodged there the authority to pass upon so momentous an issue; and the act of the President, in deciding that the western boundary of Texas must be settled by arms, and not by negotiation, stands out as a bold usurpation of power which no circumstances can justify or excuse.

Still, this is purely a domestic question, and can not affect our relations with Mexico. It was an ill-advised step, invited attack, and led to hostilities. Congress thought proper to recognize these hostilities as acts of war; and I felt at liberty to vote the supplies necessary to carry on the war thus brought on, though I condemned the course of the President. I am not, however, ready at this time to vote for raising the ten additional regiments which the President asks for. I am amazed that gentlemen should press the bill at a moment like this. Has there not been enough of war—enough of its pomp and circumstance—enough of its expense? With a good prospect for peace, must the country be again plunged, by reckless obedience to the demands of the President, into this wasteful expenditure? Some gentlemen, too, seem uneasy at voting against taking the bill up out of its order. The time has gone by for such apprehensions; the war has become odious to the people; the country desires peace. The President has gone down in the contest; and, though he still rides along the lines, and strives to animate his followers to new struggles, he has none of the energy and power of manhood left him.

“The times have been,
That when the brains were out the man would die,
And there an end; but now they rise again,
With twenty mortal murders on their crowns,
And push us from our stools.”

What induced the President to seize this power which did not belong to him? Was there danger of invasion? No. There were no settlements along the country bordering on the Rio Bravo to defend. So far as any thing American was concerned, it was as destitute of life as the Carnatic after the descent of Hyder Ali, as described by Burke in his celebrated speech on the Nabob of Arcot's debts.

You might traverse the whole region and not see one man, not one woman, not one child, not one four-footed beast of any description whatever. Yet the friends of the President seek to justify his rash order for the advance of the army by persuading us that it was determined on under the apprehension of threatened invasion. There must have been some other consideration—some ulterior, undisclosed object which the President had in view.

By referring to the correspondence which took place between the Secretary of War and General Taylor, it will be perceived that, as early as the 15th of June, 1845, Mr. Bancroft, while in temporary charge of the War Department, wrote to the commanding general in terms which would have authorized him at that time to pitch his tents on the banks of the Rio Bravo.

On the 30th of the succeeding month the Secretary of War wrote to him in similar terms:

“The Rio Grande is claimed to be the boundary

between the two countries, and up to this boundary you are to extend your protection, only excepting any posts on the eastern side thereof which are in the actual occupancy of Mexican forces or Mexican settlements, over which the Republic of Texas did not exercise jurisdiction at the period of annexation, or shortly before that event. It is expected that, in selecting the establishment for your troops, you will approach as near the boundary line, the Rio Grande, as prudence will dictate."

On the 16th of October following, the Secretary of War again writes to this officer:

"The information which we have received here renders it probable that no serious attempts will at present be made by Mexico to invade Texas, although she continues to threaten incursions. Previous instructions will have put you in possession of the views of the government of the United States, not only as to the extent of its territorial claims, but of its determination to assert them. * * * You will approach as near the western boundary of Texas (the Rio Grande) as circumstances will permit, having reference to reasonable security, to accommodations for putting your troops into winter huts, if deemed necessary, to the facility and certainty of procuring or receiving supplies, and to checking any attempted incursions by the Mexican forces on the Indian tribes."

Here, then, the Secretary of War, at a time when there was no serious apprehension of an invasion of Texas by a Mexican force, directs General Taylor to approach as near the Rio Grande *as circumstances will permit*. He is informed in the same letter that

he need not wait for instructions from Washington to carry out what he might deem proper to be done. Still, General Taylor did not advance, until, on the 13th of January, 1846, the positive, decisive, fatal order was sent to him to take a position on the east bank of the Rio Grande:

“I am directed by the President to instruct you to advance and occupy, with the troops under your command, positions on or near the east bank of the Rio del Norte as soon as it can be conveniently done with reference to the season and the routes by which your movements must be made.”

Point Isabel, and points opposite Matamoras and Mier, in the vicinity of Laredo, are named as suitable places for taking up his position.

The order of the government was obeyed. General Taylor advanced upon Point Isabel, and took a position *opposite Matamoras*.

Doubtless the President acted upon the idea that a feeble people were likely to be yielding in negotiation when an army hung upon and threatened their exposed frontier. He disregarded the noble Roman maxim,

“Parcere subjectis, debellare superbos.”

Hence, when a minister was sent to negotiate, an army was ordered to take possession of the very territory which was to be the subject of negotiation, and a fleet hovered upon the coast of a province which that minister was instructed to purchase. If the force had been great enough, the policy might have been successful; but our small army invited attack from its apparent helplessness.

There was something beyond the mere wish to quiet the title to Texas which the President had in view when he ordered the army to the Rio Bravo. He had just fallen back in inglorious retreat through five parallels of latitude on the Pacific coast before the most formidable power on the globe, and his aim evidently was to illustrate his administration by acquiring the northern provinces of Mexico. Phaeton was the reputed son of Phœbus, and, when his paternity was questioned, he visited the palace of the Sun, that he might prevail on his father to give him the means of proving his illustrious descent. Phœbus allowed him to drive his chariot for a day, and instructed him how to proceed through the regions of the air; but the feeble hand of Phaeton could not guide the flying horses; they departed from their track; heaven and earth were threatened with conflagration, and order could not be restored until a bolt from the hand of Jupiter hurled the adventurous charioteer from his seat. The President, in his eagerness to vindicate his claim to the high station which he fills, ventured upon a policy which has brought about similar confusion. General Jackson's tone toward France, which fortunately resulted in no mischief, was assumed by Mr. Polk in his negotiations with Great Britain upon the Oregon question, and we narrowly escaped war. It was employed against a feeble power with greater confidence of success. The President had set his heart upon acquiring New Mexico and California, and it occurred to him that the most successful mode of persuading Mexico to yield them up would be to station an army on her frontier and a fleet on her

coast. That this was the aim of the President will clearly appear when the instructions given to Mr. Slidell are made public. He was sent to Mexico, not simply as a commissioner to settle open questions, and especially to fix the western boundary of Texas, but it seems that he was instructed to spread before the Mexican government powerful considerations for giving up the desired provinces. As to New Mexico, Mr. Slidell was probably instructed to urge upon the Mexican government that it ought to belong to the United States, a great portion of it lying on this side of the Rio Grande, and included within the limits already claimed by Texas; it was, too, a remote and detached province, the possession of which could not be advantageous to that country; but, if given up, she would be relieved from the trouble and expense of defending the inhabitants against the Indians. From these and other considerations, it was clear that New Mexico ought to belong to the United States.

Nor was California to be overlooked; on the contrary, it was no doubt an important object of Mr. Slidell's mission to secure a large part of that province. The possession of the bay and harbor of San Francisco was regarded as all important to the United States; it was believed, too, that the Mexican government had but a slight hold on California, and that they would readily relinquish that hold for a sufficient consideration.

It is easy to trace the object of the administration; it is impossible to mistake it: the main business of Mr. Slidell was to acquire New Mexico and Califor-

nia. A fleet had sailed for the Pacific; the instructions which the commander bore disclosed the purpose of the government. Upper California was to be taken; it was to be held; it was, under no circumstances, to be given up; we were to be found in possession of it at the close of the war, so that if a treaty of peace should be made upon the basis of the *uti possidetis*, we might retain it.

General Kearney was sent to take possession of New Mexico, and he was instructed by the Secretary of War to assure the people of that province that it was the wish and design of the United States to provide for them a free government with the least possible delay, similar to that which exists in our Territories. They were then to exercise the rights of free-men by electing their own representatives to the Territorial Legislature. The war has been prosecuted throughout for the purpose of securing New Mexico and California. There has not been a moment since its commencement when the administration would have concluded a peace on any other terms. It was for this that General Taylor was ordered to advance beyond the Rio Grande after he had scattered the Mexican army in hopeless confusion, and to range his victorious troops along the Sierra Madre. The President at one time disclaimed any such purpose; but in his last annual message he employs no equivocal language. Referring to his former declaration respecting the war, he says,

“In my annual message to Congress of December last, I declared that the war had not been waged with a view to conquest, but, having been commenced by

Mexico, it has been carried into the enemy's country, and will be vigorously prosecuted there with a view to obtain an honorable peace, and thereby secure ample indemnity for the expenses of the war, as well as to our much-injured citizens who hold large pecuniary demands against Mexico. * * It has never been contemplated by me, as an object of the war, to make a permanent conquest of the Republic of Mexico, or to annihilate her separate existence as an independent nation."

The disclaimer now, it will be observed, is as to *the Republic of Mexico*, and is not applied to the coveted provinces. On the contrary, he boldly discloses his purpose to hold them in right of conquest:

"In the mean time, as Mexico refuses all indemnity, we should adopt measures to indemnify ourselves, by appropriating permanently a portion of her territory. Early after the commencement of the war, New Mexico and the Californias were taken possession of by our forces. Our military and naval commanders were ordered to conquer and hold them, subject to be disposed of by a treaty of peace. These provinces are now in our undisputed occupation, and have been so for many months, all resistance on the part of Mexico having ceased within their limits. I am satisfied that they should never be surrendered to Mexico."

He advises Congress to extend over them the jurisdiction and laws of the United States at once, and insists that we ought not to wait for a treaty of peace, but consider them at once as constituent parts of our country. The President is, in some respects, a bold

man; for in his annual message, upon which I am remarking, he asserts that CONGRESS contemplated the acquisition of territorial indemnity when that body made provision for the prosecution of the war. In seeking indemnity, he insists that the acquisition of territory was inevitable. It is impossible, sir, to observe the course of this administration without perceiving that their object, from the first moment when they began to deal with the Mexican question, was the acquisition of the northern provinces of Mexico. These were to be torn from the central government, and held as the spoils of war. This is the meaning of indemnity for the past and security for the future—a phrase used as early as June, 1846, in a proclamation sent out to General Taylor.

It requires no publication of secret instructions to demonstrate this. The President informs us, in his last annual message, that the commissioner sent out to negotiate a treaty of peace was authorized to agree to the establishment of the Rio Grande as the boundary, from its entrance into the Gulf to its intersection with the southern boundary of New Mexico, in north latitude about thirty-two degrees, and to obtain a cession to the United States of the provinces of New Mexico and the Californias, and the privilege of the right of way across the Isthmus of Tehuantepec. The boundary of the Rio Grande, and the cession to the United States of New Mexico and Upper California, constituted an ultimatum which our commissioner was, under no circumstances, to yield.

No one who thus traces the course of the administration can be at any loss to account for the order

which sent the American army to take a position on the Rio Grande. The country bordering on that stream was to be acquired; New Mexico and California were to be secured. This was an ultimatum to be yielded under no circumstances; it was intended to be accomplished from the beginning, and the administration thought it a masterly policy to help the commissioner who was sent to negotiate for this territory by marching an army to intimidate the government with which he was treating.

This object, so steadily kept in view by the administration, is about to be accomplished. If the treaty which has gone out to the Mexican government should be ratified, the Rio Grande becomes the western boundary of Texas, and New Mexico and Upper California will be added to our territorial possessions; at least we get all New Mexico, and so much of California as lies north of the River Gila, and a line drawn from its intersection with the Colorado to a point on the Pacific Ocean south of San Diego. If we had acquired the fabled garden of the Hesperides, the President could hardly be more full of exultation. It is worth while to inquire for a moment what this territory is worth. The strip of country which fringes the Rio Grande can not be very valuable. The population is said to be sparse, and the crops are uncertain.

New Mexico is described as a region wholly unsuited to an agricultural population. Lofty and rugged mountains, narrow and poor valleys, make up its great features, while an absence of water and of wood complete its uninviting aspect. A large portion is

said to be made up "of rocks, sands, and desert wastes." It sustains a scattered and miserable population. Let us, however, take its value as estimated by the Secretary of State, who is understood to have authorized Mr. Slidell to offer for it five millions of dollars.

The most intelligent travelers who have visited Upper California agree in describing it as a country wholly destitute of attractions for a people like our own. A very large proportion of the country is represented as unfit for cultivation, and incapable of supporting any dense population. Those parts of it which are susceptible of agriculture must be subjected to it by irrigation. It has none of the resources which invite or encourage commerce. The most valuable acquisition is the Bay of San Francisco; this will, it is to be hoped, give increased security to our Pacific commerce. I am not disposed to depreciate its value, nor will I introduce statements respecting it which might have this effect. Let us take Mr. Buchanan's estimate of the value of Upper California, embracing the Bay of San Francisco, which is understood to be fifteen millions of dollars; while for an extension of this line on the Pacific, so as to take in Monterey, the administration authorized an offer of five millions more.

Of what possible advantage can this extension of our territorial possessions be to us? The Bay of San Francisco, as I have already said, is important to us in a commercial view; and the barren regions of New Mexico and Upper California will form a boundary over which, it is to be hoped, our spreading popula-

tion will not be inclined to pass. But what do we pay for it? Upward of twenty millions of dollars in cash, besides the whole expenses of the war, which will probably swell the amount to one hundred and fifty millions. Compare this with the amount paid by us for Louisiana. We gave for the rich and extensive territory included under that name eighty millions of francs—about fifteen millions of dollars. It was essential to us; it completed the compactness of our territorial possessions; it gave us the command of the entrance of the Mississippi, and, overlooking every other feature, its importance may be estimated by a single glance at New Orleans. There is a great city, rapidly growing in population and wealth; a magnificent emporium of commerce, receiving the productions of a continent, and sending them out through all the world. Set down the cost of that immense and fertile territory by the side of the sum which we are to pay for our new acquisition, and you will be prepared to estimate the advantage which the policy of this administration has conferred upon the country.

But there is another element of cost in the acquisition of this new territory which must not be forgotten. Louisiana was acquired by negotiation; it was acquired in peace; it came to us a purchase. But, in addition to the enormous outlay of money to which we are subjected by the policy of the administration in acquiring our new territorial possessions, we yield up twenty-five thousand human lives. The treaty which secures to us this territory is stained with blood. There is, too, yet another sacrifice which we make in

securing these coveted provinces—a sacrifice of the most costly kind—I mean, the loss of national character. With our ample resources, we shall soon replenish our empty treasury, and our vigorous population will hardly feel the check given to it by the loss of twenty-five thousand of our people; but when will the character of the nation recover from the wound which it has received? What art can relieve the national escutcheon from “the spots” which stain it? We have received from the other side of the Atlantic the tidings of a convulsion which has overturned a throne; an enthusiastic people, our former allies, long accustomed to admire our institutions, have established a republic. Our example has been felt throughout the world; the high career which we have heretofore pursued, the glorious example of regulated liberty which we have exhibited, the magnanimity which has marked our intercourse with other nations—all this has awakened throughout the world the noblest hopes. But we now turn from this high career; we carry our eagles in triumph over a neighboring and feeble people, and we wrest from them provinces which they are reluctant to surrender. The example is a fatal one, and its influence upon the world must be disastrous. Say what we may, this is a conquest; the Mexican government is driven from place to place, hunted down, overthrown, and then a bastard treaty is negotiated, which is helped forward by the bayonet and the purse, bribery being called in to accomplish what force could not effect. Against this mode of acquiring territory I solemnly protest. I do not object to the extension of our institutions,

nor am I troubled with those apprehensions which seem to haunt the minds of some gentlemen in regard to this subject. There is a principle belonging to our system of confederated states which will bear expansion; it can grasp a continent. Steam and the telegraph have so increased the means of communication, that the utmost points of our wide land are brought into the relations of neighborhood. But let this growth of our institutions be spontaneous and gradual, and let neighboring provinces seek to come within the sheltering sanctity of our government.

This, then, is the achievement of the administration; upon this acquisition of territory it rests its fame. What other public benefit can it claim to have conferred upon the country? Has it done any thing toward developing the resources of the nation? Has it done any thing for the commerce, the agriculture, or the industry of our people? To what single monument of its wisdom, its energy, or its enterprise can it point? No improvements have grown up under its hand; it has brought upon the people the demoralizing influence of war, and it has entailed upon the country an immense public debt. Suppose it had pursued a career of peace, how much greater would be our prosperity at the present moment. The vast sums expended in war would have been saved; we should have been free from debt, and the very territory which we are about to acquire at so great an expenditure of money, and life, and character, might have been purchased for an inconsiderable sum.

I am not insensible to the military glory which our arms have won in the late war with Mexico. The

brilliant achievements of our armies will compare well with those of any age or any nation. The blended courage and skill of our officers, and the indomitable ardor of our troops, have illustrated the American name. But how was this glory earned? Not by the administration, but in spite of the administration; as Colonel Barre declared of the American colonies in the great struggle for independence, when it was said that they had been planted and nourished by the care of the mother country, "They planted by your care! They have grown and prospered in spite of your care."

The fostering hand of this administration might well have crushed an army of less vigorous materials. The officers in command have been watched with a jealousy which lost no occasion to exhibit itself. The army under General Taylor, after the splendid victories of Palo Alto and Resaca de la Palma, overcoming every obstacle, making up with their own energies for the want of the means of transportation, marched against Monterey, a walled city of immense strength, defended by a much greater force than that which attacked it, assaulted and carried it, and their victorious leader was rewarded by the censure of an administration which, overlooking all the glory of such exploits, hastened to condemn an act which secured complete possession of the place—an act which was characterized by a wisdom and humanity hardly less admirable than the courage and firmness of the illustrious captain who performed it. Deprived of his regular troops, he was left in an advanced and exposed position, when, with a little army made up al-

most wholly of volunteers, he received the shock of battle from a Mexican army twenty thousand strong, led by Santa Anna in person, and repulsed them. How much of the glory of Buena Vista is due to the administration?

Another distinguished officer, of splendid abilities, invested and took Vera Cruz and the Castle of San Juan de Ulloa, exhibiting the highest military skill; pressing on to Cerro Gordo, he won a brilliant victory; and the government, busy with its fostering care, objected to the disposition which he made of his prisoners.

Advancing upon the capital; meeting and overcoming obstacles in his march which remind us of the exploits of Cortes, he carries, with a small army, the city of Mexico; and while the world is resounding with the fame of those achievements, Scott is removed from the command of an army which he had led through these successive victories, and called to appear before a court of inquiry.

But, sir, this administration is passing away; its days are rapidly drawing to a close. Let it go; it has lost the opportunity of doing good, and, I fear, has done great mischief. A young Frenchman called on Louis XIV. when that monarch had reached an advanced age, and asked him to confer an appointment on him. The monarch exclaimed impatiently, "You shall never have it while I live." "Very well, sire," replied the young gentleman, "I can afford to wait."

The country is young and vigorous, and will outlive a bad administration; it can afford to wait; but

the administration leaves us a most unenviable heritage in its history. In speaking of it, one is almost ready to borrow Macauley's description of the reign of Charles II.: "Those are days which can never be recalled without a blush—days of dwarfish talents and gigantic vices."

Let us turn from the past and look to the future. The party opposed to the administration will probably come into power. We certainly shall, if we do not throw away our advantages. The time has come when a very large proportion of the people of the United States desire to see one elevated to the presidency who holds himself uncommitted to mere party measures, and looks out upon a horizon wide enough to embrace his whole country. The country has suffered from the fierce collision of parties, and its great interests are passed upon by irresponsible bodies, calling themselves conventions, which sketch not only the plan of a political campaign, but lay down the principles which shall govern an administration.

I rejoice that one man has been found in the country with courage enough to refuse to lend himself to the advancement of mere party schemes, and who, following the great example of Washington, will administer the government for the good of the people of the whole country. We have always denounced a president who could never forget that he belonged to a party, or rise to the enlarged patriotism which ought to characterize the chief magistrate of the United States, and yet some object to the noble position which General Taylor takes when he refuses to practice the supple subserviency of a partisan. I re-

gard that position with unqualified admiration. He does not deny his identity with the Whig party. He declares his unwillingness to conceal that fact from the American people. He frankly avows his desire to see some of the eminent men of that party elected to the presidency; but he refuses, with true dignity, to allow others to extort from him pledges, or to undertake to carry out any set of measures which others may wish to impose on him. To borrow his own language, he "asks no favor and shrinks from no responsibility." He does not court popular favor. He remains in the quiet discharge of his duties, and leaves the people to decide as they may think best whether he shall be called to administer the government, or left in the station which he now fills, and which he has rendered so illustrious.

Such a course presents a broad contrast to that which is sometimes pursued by aspirants to the presidency, who traverse sea and land to make proselytes, and bid for the purple by committing themselves to the favorite schemes of different latitudes.

Such ambition sometimes overleaps itself. The support which the popular sentiment of the country gives to General Taylor's noble position is a cheering indication. It is full of promise for the future, and reminds us of earlier and better days. I believe that the people will bear him triumphantly into the presidency. He will administer the government with a strict regard to the Constitution; he will call into his cabinet the ablest of his political friends; he will arrest the demoralizing practice of expelling good men from the subordinate offices to put ultra parti-

sans in their place, and will return to the better rule of inquiring as to applicants, "Is he honest? Is he capable?" He will restore the great principles which belonged to the early republican administrations, and will guide the country into a high career of prosperity and glory.

THE FRENCH REVOLUTION.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, APRIL 3d, 1848.

MR. SPEAKER,—In moving to refer the resolutions and amendments which have been brought forward upon the subject of the late Revolution in France to the Committee on Foreign Affairs, of which I am a member, I simply desire to secure a proper expression of the sympathy which we feel in that movement. The occasion is one of no common moment; it must deeply affect the cause of mankind throughout the world. I am not ready to extend the sympathy of this government to any people who simply overturn a throne to plunge into the wild, unrestricted, and reckless experiment of ideal liberty. Every kingless government is not of necessity a republican government. Liberty can not exist without law; its elements must be consolidated, and its great principles be embodied in a Constitution. The great movement in France must develop institutions before it accomplishes any permanent good for the French people. I confess that I am not free from apprehension as to the future; the convulsion which exhibits a form so attractive to-day, may yet upturn the foundations of society, and result in the wildest anarchy. On the other hand, there is, in the great popular movement which has so suddenly and so successfully expelled royalty from France, much of promise for that beau-

tiful country and for mankind. I solemnly believe that the time has come when kingcraft has lost its hold upon the human mind. The world is waking from its deep slumber, and mankind begin to see that the right to govern belongs not to crowned kings, but to the great masses. The age in which we live will, I trust, witness the complete enfranchisement of nations which have long been governed too much.

I think, sir, that we ought to sustain our minister (Mr. Rush), who so promptly, without the opportunity of consulting his government, hailed the popular movement which expelled a powerful dynasty and proclaimed a republic. It was a generous impulse which prompted the act, and the country will applaud it.

There are certainly some features in the scene which France presents not wholly agreeable to a thoughtful observer, and which awaken the apprehension that the provisional government just established has promised more than it can redeem. The *fraternity* which has been adopted may not be consistent with regulated liberty; it may be the dream of idealists, and not the conception of a philosophical statesman. The measure, too, which has been adopted in regard to the labor and wages of operatives, doubling their compensation, and undertaking to employ them on the part of the government, is a very unsafe one. Every one accustomed to the order of well-regulated liberty must see the danger of such legislation. It partakes too much of the character of a system of social reform too impracticable to be easily recognized. Still, these may be but temporary arrangements, de-

signed to give the new government time to adjust the complicated details of the great task which has been undertaken. There are circumstances which may awaken apprehension, but they can not repress sympathy. No, sir, they can not prevent the expression of our deep and full sympathy with a people struggling to make a free government like our own. I, for one, can not look upon such a spectacle unmoved. It may be premature—it may be even rash; but I should think myself unworthy of a seat in an American Congress if I could refuse to cheer a people engaged in such a work. May they go on and prosper, and may they erect upon the soil of France a government resting upon the great principles of constitutional law, insuring order at home, commanding respect abroad, and throwing over Europe the clear and steady light of rational liberty.

I regret, sir, that the gentleman from Massachusetts (Mr. Ashmun) has thought proper to connect with this subject another which does not belong to it. I do not impute to him any improper motive, but he must know that the people of this confederacy can not hear without painful sensibility their social institutions alluded to in such offensive terms. There is on the part of the South nothing aggressive; they are content to sustain the government as it is; they make no war upon the people or the institutions of the North. But, sir, they observe your movements here with profound interest. They know their rights, and there is throughout their entire borders a purpose to maintain them with a courage and firmness which nothing can intimidate or shake.

The feeling, then, in regard to the subject which has thus been thrust upon the House so recklessly, is so profound, so well settled, and, to borrow a mode of expression from the French, so eternal, that it is impossible to touch it without danger.

I repeat, sir, that in moving to refer the resolutions before us to the Committee on Foreign Affairs, I have no hostile purpose. I desire that, when Congress does speak upon this subject, it shall speak in well-weighed and becoming terms. I do not like the language of these resolutions. It so happens that we are often called on to vote on propositions suddenly thrown into the House, when we can not express our own true sense. Let the resolutions go to the appropriate committee, and come back to us in a better form.

REVIEW OF THE POLICY OF PRESIDENT POLK.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, JULY 24th, 1847.

MR. SPEAKER,—The message of the President, which has just been read, is so important, that I am unwilling to see it referred without some discussion. It is impossible for any man who claims to be even a casual observer of passing events to overlook the intensely interesting aspect which public affairs wear at the present moment. The war with Mexico has been brought to a close, and we must fix our attention on events transpiring at home, which possess as high a moral interest as the late brilliant achievements of our invading armies. I was here, sir, when the President communicated to Congress the startling fact that war had broken out upon our frontier, and I count it a piece of good fortune to be here now, when he informs us that peace is restored. The war has been attended with circumstances so extraordinary, and has developed results so important, that I can not suffer them to pass without notice and animadversion.

Some days since we had a message from the President transmitting the treaty lately concluded with Mexico. That message was unworthy of the high source from which it came; it wanted dignity; it was totally destitute of that elevation of sentiment

which ought to characterize such a state paper. It was written in a boastful spirit, and proclaimed the success of our policy, without a single allusion to the calamities of war, or a passing tribute to the courage or the patriotism of the dead who fell under the flag of our country, or to the living who brought it back in triumph. The President passes by all this, and comes with indecent haste to inform us that he has driven a good bargain with Mexico. In the very spirit of a hard dealer, he boasts of the advantages which he has won, by tearing from a feeble neighbor some of her finest territories, and adding them to our own possessions. He says,

“New Mexico and Upper California have been ceded by Mexico to the United States, and now constitute a part of our country. Embracing nearly ten degrees of latitude, lying adjacent to the Oregon Territory, and extending from the Pacific Ocean to the Rio Grande, a mean distance of nearly a thousand miles, it would be difficult to estimate the value of these possessions to the United States. They constitute of themselves a country large enough for a great empire, and their acquisition is second only in importance to that of Louisiana in 1803. Rich in mineral and agricultural resources, with a climate of great salubrity, they embrace the most important ports on the whole Pacific coast of the continent of North America. The possession of the ports of San Diego, Monterey, and the Bay of San Francisco will enable the United States to command the already valuable and rapidly increasing commerce of the Pacific.”

These are the terms in which the President boasts

of the results of the war. Before I resume my seat, I think I shall be able to show that there is no ground for boasting or congratulation. One of three propositions is certainly true: either Mexico has lost by the treaty which has terminated the war, or we have lost by it, or it is a drawn bargain. If we have lost any thing by the arrangement, the administration will be held responsible for the loss; if we have gained an advantage over Mexico, it reflects no credit upon a country so superior as our own is in power and resources; and if the advantages of the adjustment are to be considered as balanced, how is the President to answer to his conscience, to his country, and to mankind, for plunging us into a contest which has called for so profuse an expenditure of blood and of treasure, and which has yielded such fruitless results? He may take either of these hypotheses, and he will find that boasting is excluded.

In commenting on the message, I shall observe the same order of subjects as is observable in the document itself. It treats of the past, it exhibits the present, and it invites us to look to the future. I shall pursue the same order. This is an appropriate time to review the policy of the administration, and to show the country its results.

What was the condition of the country when the administration came into power? We were almost free from debt; that which had accumulated during a preceding administration had been reduced to an inconsiderable sum, under the influence of the wise and vigorous measures of a Whig Congress. Public credit, which was drooping, was fully re-established,

and every great interest in the country was in a high state of prosperity. I comprehend what I say, sir. We all know that a financial system may be well enough adapted to a special emergency that it would not be wise to continue as a permanent arrangement. I repeat, sir, we were rapidly discharging our public debt. The President states in one of his messages, that, but for the war, that debt would have been extinguished.

Our relations with the whole world were pacific. Nothing threatened to disturb the profound peace which the country had so long enjoyed except two questions—the one affecting our rights to the Territory of Oregon, and the other the western boundary of Texas. These questions became prominent only because of the manner in which they were treated by Mr. Polk's administration. We are all familiar with the history of the negotiations respecting Oregon. The question had been sleeping for years. Our people were settling there, and strengthening every day the policy of "masterly inactivity," when suddenly our title to the whole territory was declared by a Democratic convention to be clear and indisputable. A question which had divided cabinets for years was disposed of in a few hours, and party banners displayed the word "Oregon" as an essential part of a creed. That party elected their president, and when he came up to be inaugurated, standing, on that grand occasion, in front of this Capitol, as the representative of the whole American people, he who was about to take charge of our foreign relations proclaimed, with indecent recklessness, in the face of

the whole world, that our title to a territory which had been in dispute for half a century was clear and unquestionable. The natural and necessary consequence was, that the question was at once invested with the highest importance, and the two greatest nations of Christendom began to arm, and were about to enter into a deadly contest about a few barren acres. This whole country was roused. The North looked with apprehension to the probable termination of a question whose settlement by arms must powerfully affect its manufacturing and commercial prosperity, while the South regarded it with equal anxiety in its bearing on the market for its great staples. A long and most excited controversy was carried on in both houses of Congress, the President, with his cabinet, asserting our right quite up to $54^{\circ} 40'$, and announcing their determination to stand by it to the last, when suddenly the Senate were informed that the line of 49° could be secured as our northern boundary, and the executive invited that body to advise him in advance as to its acceptance. The wisdom and the patriotism of the Senate averted from the country a most disastrous war. A body which had been fiercely denounced by the partisans of the President as insensible to the rights and the honor of the nation, came to his relief when their aid was invoked, and taking charge of a question which had, by mismanagement, wellnigh brought us into collision with England, they adjusted it, and restored a good understanding between two great Christian powers. It is perhaps proper that I should say my own personal opinion was, that we were rightfully entitled to the

country as far north as $54^{\circ} 40'$; but as we had repeatedly offered, in former negotiations, to take 49° , I held that we were morally bound not to refuse a settlement on that parallel. I was willing to give Great Britain notice to terminate the joint occupancy of the country, because I apprehend that, if it were left as an open question, the President would involve us in a war. I voted for the notice as a peace measure.

The other open question which affected our foreign relations, and which the administration took charge of, was with Mexico. This grew out of the annexation of Texas. I never doubted the right of the United States to admit Texas into the Union. Texas had achieved her independence; she was an independent state, *de facto* and *de jure*. I considered this question calmly and thoroughly while absent in Europe, away from the influence of party, and looking only to the effect of the measure upon this country and upon the world. But, sir, it will be remembered, the joint resolution by which Texas was annexed provided, in order to avoid a conflict between that state and Mexico, that it was "to be formed subject to adjustment by this government of all questions of boundary that may arise with other governments." It was well known that the western boundary of Texas was in dispute, and, while Texas claimed to the Rio Bravo del Norte, Congress reserved to our own government the right to adjust this question respecting the extent of her territory. The President has repeatedly admitted that the eastern bank of that stream was disputed territory, and has seemed to pre-

fer the title of Mexico, by authorizing Mr. Slidell to offer that government compensation for the surrender of it. This boundary was to have been settled by negotiation; the President was bound to adjust it in that way; he had no authority to control the question in any other mode. If that failed, it became his duty to inform Congress of the fact. It would then have become our duty to decide what measures were necessary for the protection of the frontiers of Texas, and the great question of peace or war would have been decided by that body to which the Constitution has intrusted it. The President undertook to decide the question by arms; he assumed that the Rio Grande was the boundary between Texas and Mexico; and while Congress was actually sitting, while he was in daily communication with us, he usurped the power belonging to us, and sent an army to invade the very territory which he was endeavoring to secure by negotiation. In the very message received to-day, he admits that the territory was all the while in dispute. Who can doubt that the President has transcended his authority? Who does not see that he usurped a dangerous power? I repeat that Congress had the right to authorize the President to take possession of the territory, but, until he was invested with this power by us, his act was one of naked usurpation, too monstrous to be vindicated, and too dangerous to be passed over without censure.

Lord Chatham said, in the British Parliament, in the true spirit of liberty, "Where law ends, tyranny begins." Sir, it is true; if we can surrender that principle, we surrender all that is worth preserving.

Give up to the President the power of making war; leave it to him to fix your boundaries, to back your negotiations with bayonets, to decide your questions with other nations by bringing up armies or fleets to aid the adjustment, and he will need no crown to make him royal; the very power with which you invest him makes him every inch a king.

The glory of our political system hitherto has been, that power was distributed, checked, guarded; that the legislative power was one thing, the executive power another, and that of the judiciary distinct from both these. But if the President is allowed to seize and exert one of the most important powers of Congress—no less power than that of deciding the question of war or peace—and if, in the very body whose authority has been thus violated and contemned; if in this body, which ought forever to stand between executive aggressions and popular rights; this body, without whose votes not a single tax can be laid, not a single dollar expended; if, I say, in this representative body, men are to rise up and sustain this usurpation of the President, then it will hardly be worth while long to go through the forms of legislation. We may take down the mace from beside your chair; we may leave these seats vacant, and, placing all the powers of the government in the hands of one man, commit the prosperity, the liberties, and the glory of the country to his keeping.

When it was announced to us by the President that our troops had been attacked by the Mexican forces, the Whigs were ready to vote supplies for the army. They wished, it is true, to avoid war; they objected

to a preamble which was contrived expressly to shield the unconstitutional act of the President; they preferred to treat the collision on the banks of the Rio Grande as an assault on the part of Mexico which might be disavowed and atoned for without involving the countries in a protracted conflict; they desired to defend the boundaries which had been claimed and occupied without hastening to invade a neighboring country. But this did not suit the policy of the executive, and he accordingly poured our victorious armies into the Mexican territory, and he conquered and held provinces by force which were ready, if he had waited, to drop into our hands like ripe fruit at a touch. Yet, in this document, the President declares that the alternative of war was embraced by him reluctantly. Where was the necessity of invasion after the brilliant victories of Palo Alto and Resaca de la Palma? When would the flying Mexicans have rallied and recrossed the Rio Grande? The very terror of Taylor's name would have driven them from the whole line of that stream.

Having thus rapidly glanced at the past course of this administration, I desire to survey the scenes which surround us. Let us inquire what we have gained by this policy. It is not necessary to say that, while we entered into this war almost free from debt, we are now burdened with a heavy one. I suppose our expenditures will not fall short of one hundred and fifty millions of dollars. When the interests or the honor of the country are at stake, we will not stop to count the cost of war. I adopt the glorious sentiment, which had its origin with a Southern man

distinguished for his genius and his patriotism, "Millions for defense—not a cent for tribute;" and I may add, Every thing for the glory of our country. But as the President seems in his message to cast up, in the spirit of one who drives a bargain, the advantages of the war, it is not amiss to keep in view the outlay of money in the acquisition of our possessions. But I will not dwell on this, nor will I undertake to estimate our other losses in the prosecution of this contest, which far exceed the most lavish expenditure of treasure. I shall not say a word of the unreturning brave, who went out so warm with hope, so full of energy and life—of the gallant men who died by disease, or who fell in battle under the flag of their country. Their memory is safe; they fell as men who love their country are always ready to fall:

"How sleep the brave, who sink to rest
By all their country's wishes bless'd!"

But there is a great question growing out of this war which can not be overlooked—a question too formidable to be neglected, and, it may be, too exciting to be easily settled. It already flings its shadow along the whole extent of the country. It wears an appalling aspect. It is pregnant with danger. The considerations which gather about it are so important, and the interests which it affects are so great, that it must awaken apprehension in any one who comprehends its power. I speak, sir, of the question which involves the rights of the slaveholding states of this confederacy. The territory which we have acquired belongs to the people of this whole country, spread throughout its thirty states; yet, in the organ-

ization of territorial governments, it is sought by one portion of the people to secure the whole advantage of our new acquisitions to their exclusive benefit. The political power of the North is to be still farther swelled, while the Southern States are to be girded in, and their people shut out from all enjoyment of property acquired by the mingled blood and the common treasure of the whole country. From the very battle-fields where the men of the South fell beneath the eagles of their country, their kindred are to be forever excluded. How shall this question be disposed of? This is the question to which we must turn our attention. It rises before us in all its vast proportions; it is the same question which Mr. Jefferson described as striking upon his ear like the sound of a fire-bell at night, awaking him and filling him with terror. A profound anxiety pervades the public mind; a sectional jealousy is aroused which threatens the harmony of these confederated states. At the North, a formidable organization is already exhibited; an ex-President of the United States leads a party whose aim is to destroy the political power of the South. Combinations are set on foot which break the lines of regular parties, and men are invited to abandon existing political associations, and gather about the standard of one who, forgetting all that is due to his country and his fame, draws off from his former allies, and takes a position as the chief of a faction.

We greatly misapprehend the state of feeling both at the North and at the South if we do not see that it is becoming thoroughly roused. Let us not under-

rate the importance and the results of this question. In a country so extensive as ours, sectional jealousies and political divisions, organized upon geographical lines, are always alarming. It should ever be the aim of patriotism to repress them. The President, alluding to the existing feeling in the country, says:

“There has, perhaps, been no period since the warning so impressively given by Washington to his countrymen, to guard against geographical divisions and sectional parties, which appeals with greater force than the present to the patriotic, sober-minded, and reflecting of all parties, and of all sections of our country. Who can calculate the value of our glorious Union? It is a model and example of free government to all the world, and is the star of hope and haven of rest to the oppressed of every clime. By its preservation we have been rapidly advanced as a nation to a height of strength, power, and happiness without a parallel in the history of the world. As we extend its blessing over new regions, shall we be so unwise as to endanger its existence by geographical divisions and dissensions?”

After precipitating the country into this perilous position by his war of conquest, he invokes the patriotism of Congress, and complacently appeals to the counsels of Washington.

In the recent debates of the Senate, it has been said that this question threatens the Union. Who has forced it upon us? Is not this administration responsible for all the consequences that may grow out of it? No man can be indifferent as to what is passing around us. As well might men be indifferent who

stand upon the deck of a vessel drifting upon breakers; their very roar is already in our ears.

In this hall, even, there are men who devote their lives to the single business of agitation—who employ all their energies in alienating the North from the South, and who seek, by every means within their power, to inflame the popular mind of every other portion of the Union against the people of the slaveholding states. Yielding themselves up to this single object, forgetting all that is glorious in the common history of these states, and overlooking all that is cheering in the future, impelled by a sleepless and undying hatred to the South, this party—if it deserves to be called by a name so honorable—is the very impersonation of that bigotry which rushes forward with an averted face in its reckless career, deaf alike to the voice of reason and of patriotism.

It is high time to appeal to the patriotism of the country—to call on the people to save this glorious structure reared by the men of the Revolution; for we can not be insensible to the responsibility of our position; all the past appeals to us—voices from the battle-fields where liberty struck, and from the senate-chambers where liberty spoke, call on us to be faithful to our great trust; and those who are to come after us seem to press into our presence with silent but beseeching faces, and implore us to save our country in this crisis. If we ever intend to rescue the country from the perils which invest it, we ought to do it now.

In regard to the authority of Congress over the territories of the United States, I desire to give my

views. The question, at all times an interesting one, has now assumed great practical importance. The first proposition which I shall state is, that Congress possesses exclusive power to legislate for the territories of the United States. Of this I do not entertain a doubt; and, while I have heard various opinions expressed here in regard to this subject, I am at a loss to see how any one who examines it can reach any other conclusion. That the whole power over the territories originally rests in Congress is perfectly clear, and it remains for those who assert that the right to legislate in respect to them belongs to the people who inhabit them to show at what time the power is transferred from Congress to the inhabitants. But, sir, this question has been so often examined here that I will not consume my limited time in considering it.

My second proposition is that, while Congress possesses the exclusive power of legislation for the territories, that power is by no means an unlimited one. It is just here that gentlemen often fall into error. Exclusive does not mean unlimited. The power to which I refer is exclusive in that it acknowledges no co-ordinate jurisdiction; but it is restricted, as are all the powers delegated to Congress. While Congress, then, undertakes to exercise the power of exclusive legislation for the territories, it is bound to carry on its legislation in reference to the character of the states of this confederacy, from which it derives the power. It must regard the rights of all the states, and can not, without an abuse of its power, legislate for the benefit of one section at the expense

of another; it is an abuse of its power as an agent for the states, I care not whether the legislation be for the benefit of the South at the expense of the North, or for the benefit of the North at the expense of the South.

This brings me to my third proposition, which is, that Congress is not, in its legislation for the Territories, to look to their welfare alone, but is bound to regard the good of the parties interested in the ownership of the Territories. This, it will be perceived, is in direct opposition to the opinions advanced by a distinguished gentleman from Massachusetts, the successor of Mr. Adams (Mr. Mann), in his beautiful introductory speech in this hall—a speech which, I confess, I listened to with admiration, though I strongly dissented from some of its sentiments. The gentleman insists that Congress, in legislating for the Territories, must look to their good alone, and shape all measures so as to advance their prosperity, without any regard to the rights of the people of the several states. This doctrine, though it has a certain charm about it, is wholly erroneous. Let us apply this reasoning to the Territory of Oregon, which, stretching along the Pacific coast, fronts certain parts of north-eastern Asia. Would Congress have a right to say that this territory should be occupied only by colonists from China, because a prosperous trade might be attained with the East, and the prosperity of Oregon rapidly advanced if that course were taken? Unquestionably not. Or, suppose that Congress should happen to conclude that it was important to the welfare of that territory to allow only a manufac-

turing population to remove there, would it be proper to legislate for this object? Unquestionably not.

The gentleman from Massachusetts considers territory which we acquire as the property of this government, and insists that Congress possesses the right to control it absolutely. This is a very common error. It results from a certain system of political training. If our government were a monarchy, and all powers, or the sovereign power, centred in the crown, the argument might hold good; or it might be maintained if the states which we represent were consolidated into one great empire. But, sir, ours is a federative republic; it bears no resemblance to an empire whatever; it is a structure unlike what the world ever saw, deriving its powers from sovereign states, who are members of this confederation; and this government, this general government, can exercise none but the powers which are clearly granted to it by the states. Whatever territory is acquired is acquired for the people of the several states, and Congress must remember to exercise its legislative functions in regard to it as their agent.

I am asked by my friend from New York (Mr. Duer) where the restrictions on the powers of Congress are to be found? They result from the very nature of our political system. If there are parties to this confederacy, a portion of whom would be injured by the legislation of Congress, is Congress acting in good faith when it exercises legislation in that direction? Congress, as my friend from Tennessee, near me (Mr. Gentry), well suggests, would thus, as a common agent for all the states who are parties to

the interest, abuse its power for the benefit of one or more of the parties. It can not be denied that all the states of this Union have a clear title to the property acquired by their government, and they have an equally clear equitable right to its enjoyment.

The distinguished gentleman from Massachusetts has, it seems to me, fallen into another error. He regards agriculture as of little moment in the catalogue of labor, but eulogized the manufacturing interests to a degree which, I confess, startled me, coming even from a gentleman from that section of the country. He drew a beautiful picture of the triumph of man over nature, representing him as a demigod standing by the side of a running stream, and bidding it to do his labor, or employing as his agents all the elements in the material universe. In his eye, the wheel driving a thousand spindles is an object of far higher interest than outspread fields waving with grain. The demigod who commands the Penobscot, the Kennebeck, the Merrimack, or the Connecticut, to saw timber, to make cloth, to grind corn, is far more noble, as well as potent, in his estimation, than the man who fells the forest, who lays bare the earth with the plowshare, and who gathers the abundance of the fields into his granaries. I would not undervalue manufactures, nor any of the mechanic arts. The gentleman shall not surpass me in my admiration of human skill. I will visit with him all the factories of New England. I will follow his lead along the rushing streams which set in motion all the busy machinery of his region. I will go with him into every workshop where art plies its unceasing toil, and

I will rejoice over every sign of prosperity which meets us in our progress. But, sir, I will then ask him to go forth with me to the fields, to see them laid open for the reception of the precious seed, or white for the harvest ; I will bid him listen to the cheerful songs of labor that greet the ear, and I will then call on him to say with me that the earth presents no more beautiful spectacle than this, and that no employment is nobler than the simple, peaceful pursuit which God gave to man when he drove him out of Paradise. I do not desire to disparage any branch of industry, but I place agriculture highest in the scale of human labor. But this great interest the gentleman seemed to overlook ; and because the cultivation of the soil by slave labor would, in his opinion, hinder the prosperity of the territories where it is introduced, he would exclude this labor from them all. Proceeding on the idea that all the territorial possessions belong to the general government, and not to the states ; proceeding on the idea that in legislating for the Territories Congress must look to their welfare alone, he would exclude slavery, for the simple reason that slavery is not, in his judgment, suited to the highest development of their resources. The planter, with his slaves, who seeks to enter the territory, belonging to him in common with the people of this whole country, to cultivate the earth, is to be excluded, while the manufacturer is invited to take up his abode there, erect his buildings, and set his operatives to work. Why, this is the merest sophistry which the world ever heard of. The calamity of our times is, that we have abandoned the great, broad, clear principles

which distinguished the action of our fathers; we are turning our eyes to new lights; we are yielding ourselves up to philosophical speculations in all the departments of life, and patriotism is lost in a wild and erratic philanthropy. It is in this way that we become alienated from each other. Let us recur to sober elementary principles, and suffer ourselves to be guided by those high and holy motives which animated our fathers in the formation of this confederacy.

But, sir, while I contend for the right of the people represented by me here, to take their property into the Territories of the United States, and enjoy it without molestation, I am ready to settle this great question in the spirit which has more than once saved this country. I do not ask every thing for the section of the country from which I come. I wish here to allude to a proposition which has recently been started, and which has been the topic of conversation for some days past in the other branch of Congress; I speak of what is called "the Compromise Bill." So far as I comprehend it, I unhesitatingly express my opposition to it; and if it should ever reach this House in its present shape, I shall cast my vote against it.

The measure proposes to recognize and ratify the act of the Territorial Legislature of Oregon excluding slavery, and to leave the question in California and New Mexico to be decided by the courts under existing laws.

The question as to the existence of slavery in any part of the United States is a political question, and

not a judicial question. It has always been treated as a political question. When the question came up in the Convention which framed the Constitution, it is well known that conflicting views were entertained respecting it; it was then discussed as a political question, and it proved to be a very formidable one. It was disposed of finally by a compromise which entered into the formation of our political system—a compromise as wise as it was patriotic—a compromise which produced tranquillity then, and which deserves to be studied now.

Upon the admission of Missouri into the Union, this question was again regarded as a political question. The only barrier to the admission of that state was found in this question. A compromise was once more entered into—a compromise which, it was believed, was to be permanent, and which was regarded as binding upon the whole country, in letter and in spirit. It was a compromise which, in my judgment, sacrificed the just rights of the South, and of which the North should be the very last ever to complain.

In obedience to its spirit, the South gave up a portion of Louisiana to frame non-slaveholding states; yet the successors of the very men who agreed to the Missouri Compromise, and who stretched the line of $36^{\circ} 30'$ across an immense slaveholding territory, contend to-day that slavery shall be excluded from all territory not included within the limits of the states lying even south of that parallel. The doctrine now is, that "free soil must remain free." This is a modern discovery, most opportunely made to suit the views of those who are engaged in this crusade against

the South—a crusade which has not even misguided philanthropy to apologize for its excesses, but which aims to aggrandize the political power of the North. When Texas came into the Union, this question was again treated as a political question, and the Missouri Compromise line was once more recognized and applied to that state. Yet it is proposed now to treat this question as a judicial one, and to subject the political rights of the Southern States to the decision of the courts. Upon their construction of existing laws the whole question is to turn in California and New Mexico, while Oregon is absolutely surrendered.

I object again to this “compromise,” because it is no settlement of the question; it is simply an adjournment of it. It leaves to Oregon the right to legislate for the exclusion of slavery, and it inhibits New Mexico and California from exercising any right whatever in regard to it—from legislating in any manner respecting slavery, while the claim of the owner to every slave which he introduces there is to be subjected to the decision of the courts upon laws as they now exist there. Is this a settlement of the question? If it should be conceded that the courts would decide to admit slaves, and all legislation in respect to them is inhibited, who could hold his slaves when he got there? Where would be their patrol laws? where their laws for the security of property? where the law to enable the master to compel obedience on the part of his slave? Is it not obvious that no decision made by the Supreme Court, before whom the question must finally come, would give satisfaction? The agitation would go on; it would grow fiercer;

it would dash its furious surges against the highest judicial tribunal of the country. If the decision should be favorable to the South, who can measure the extent of dissatisfaction which would pervade the North? The decision would disclose to the advocates of the restrictive clauses that the laws of New Mexico and California tolerated slavery, and they would feel more powerfully than ever before the necessity of pressing their measure. But if the decision should be favorable to the North, as it is almost universally conceded it would be, how could we face our constituents after having given our support to a bill which surrendered the very rights we were expected to guard? No, sir; this is no settlement of this alarming question; the agitation will go on. I desire a compromise, earnestly desire it, but that compromise must be a settlement of the question. If I yield up any of the rights of those who have sent me here to represent them, and who honor me with their confidence, I must know the full extent of the sacrifice, and I must at least insure tranquillity when I make it. An arrangement which leaves all the questions in dispute unsettled, all the difficulties and dangers still threatening, can never receive my support. There is but one way to settle this question: that is, to treat it as a political question. It must be met openly, frankly, and in a patriotic spirit. We must act with firmness; we must not shrink from the responsibility of our position; we must inquire what is wise, what is equitable. Let the interests of all the states of this confederacy be regarded, and let us come right up to a line and adhere to it. It so hap-

pened that, at the last session of Congress, I addressed the House immediately after Mr. Preston King brought in his resolution in favor of a measure now known as the Wilmot Proviso. I then said,

“If this scheme of acquiring territory is persisted in, and the power of this government is brought to bear upon it so as to exclude slavery from every part of it, it must be seen by all who have bestowed any reflection on the history of the organization and progress of our political system, that the most serious, I may say disastrous, results will follow. This Union can only stand on those compromises which I regard in their sacred obligation as second only to the Constitution. The compromise which has already taken place on the Missouri question was sufficiently disadvantageous to the South. * * If territory is to be acquired, let it be subjected to compromises which have been already formed. I do not wish for any violation of the Missouri Compromise. Let it stand in letter and spirit. Let the line upon which it runs be extended to the Pacific Ocean.”

I am willing to abide by it this day. I know that it gives up to the North the most valuable portion of the territory, but I am not willing to disturb a line which is already drawn. Spread out the map, and you will see that Monterey, San Francisco, the mouth of the Columbia River—in short, almost all that is valuable in our late acquisitions on the Pacific coast, lie north of the parallel of $36^{\circ} 30'$. We shall, however, by a settlement on that line, be able to ascertain what our rights are; and I do not think a limit which has the sanction of precedent, and which seems to

bound the region where slave labor is likely to be employed profitably, would be disturbed.

The question must be settled upon some terms; the country is in danger. I am amazed that gentlemen do not see it. I will not question the patriotism of any gentleman for a moment. I can not conceive that one calling himself an American can entertain a malignity so dark as to desire to wrap this glorious structure under which we live in the fires of a consuming conflagration. But this question does involve the country in immense, immeasurable peril. It ought to be settled at this time so that it can never be revived again. The President has brought this danger upon us, and we must rescue the country from it. The Constitution must be brought out of the perils which surround and threaten it. As its old namesake once was, it is now on a lee shore; it must be saved. Turn its prow once more upon the broad, open, and peaceful sea; fling out from its tallest mast the old flag which had so long floated over it; let the whole world see every star in the constellation; tear away from the helm him who has been either too feeble to guide it, or too faithless to execute his trust, and place there a man whose great heart has always beat true to his country, and whose strong arm will keep us in our course, no matter what adverse currents we may meet, or what storms may burst upon us. No mere partisan can settle this question. We must bring to the presidency a man in whose patriotism the whole country has confidence. A mere politician, thrown up by the dark and turbid waters of party, has no moral power over a question of this sort. He

must be a man tried in the presence of danger—a man whose courage never flinches on the battle-field, in the council-chamber, or in the executive chair.

Having thus shown the results of the foreign policy of the administration—a policy which turned the country out of its prosperous and peaceful career, and which has brought upon it a large public debt and a most formidable internal question, I desire to look to the future. Shall the government go on as it has been carried on for the few past years, or shall it be turned upon a new, high, and pacific course? This is a question which addresses itself to every American citizen. We are just entering into a contest which involves the most important results. Never did men strike for a nobler cause than that which now employs the energies of the Whigs of the United States. We are true to the great principles which distinguished the Whigs who first bore the name. They struggled against Charles, who brought all the influence of the crown to bear against the representatives of the people. It was a battle between kingly power and the Parliament of England. Guided by the advice of such men as Buckingham and Strafford, the king exerted all his strength in the effort to keep down the spirit of popular liberty in his dominions. On one occasion, when displeased with the proceedings of the House of Commons, he sent for the Journal, and with his own royal hand tore out the offensive record. That was one instance of *expunging*. A scheme is going on in this country by which popular rights and the popular will are likely to be less potent here than they are to-day in England. It is

worth while to remember that the struggle which began there between the monarch and the people ended in overthrowing the royal omnipotence, and in erecting barriers about the rights of the people which have never since been borne down.

It is significant enough that Buckingham fell a victim to the popular indignation, and Strafford, though the king was pledged to protect him, did not escape the scaffold; he laid down his head, exclaiming, "Put not your trust in princes, nor in the sons of men, for in them there is no salvation." Even Charles himself, after a protracted struggle with his people, was compelled to lay down his own anointed head on the block in front of Whitehall, and the axe of the executioner struck it off.

There are great principles which are essential to liberty; it can not exist without them. These the Whigs seek to preserve.

The very first of these principles is resistance to executive power. It is a singular fact that the party styling itself Democratic seeks to clothe the President with almost royal attributes; it sustains him in all his assumptions of authority—in all his usurpations of power. When defeated in a body representing the people, this party calls on the President to come to its aid with his *veto*. Who that witnessed it can ever forget the humiliating spectacle exhibited in this hall but a few days since? The representatives of the people, in the exercise of their legislative duty, having inserted in a bill on its way through this house an appropriation of money for an object which, it was understood, would not meet executive favor, were

actually threatened with the veto of the President ; and it is by no means certain that we shall yet escape it. What is popular liberty worth if the representatives of the people can not vote an appropriation of the money of the people for a perfectly proper national object without finding their legislation arrested by the interposition of the executive will? According to the Democratic creed, the President is the mere head of a party ; measures passed by the representatives of the people are to be arrested by his veto ; schemes agreed on by his party, however odious to the people, are to be carried through by all the influence of executive patronage.

The President occupies a great position in our political system. He should sit poised between the parties ; but this modern creed makes him a mere partisan chief, and invites him to unite with the minority to defeat the action of the majority of the representatives of the people, just as in royal governments the monarch is often in league with his own creatures against the popular sentiment.

It is important to comprehend the true relations between the executive and Congress. His functions are defined by the Constitution, and the reasons for conferring them are to be found in the speeches and writings of the men who created our political system. Patrick Henry's opposition to the executive feature of our political system is well known ; and if he could have lived to this day, he would have seen how fully his apprehensions were realized. The President of the United States should rise to a just conception of the duties of his exalted station, and he should aim

to discharge them in an eminently patriotic spirit. No horizon less than that which embraces the whole country should limit his vision, and he should scrupulously forbear to transcend the authority which belongs to him in his great office. In the Constitution, the powers of each department of the government are clearly defined. These powers are distributed: the legislative power, which is first named, is vested in Congress; the executive power is vested in the President; and the judicial power is vested in the Supreme Court and such other courts as Congress may establish. The harmony of our system can only be preserved by a strict observance of this distribution of powers. The duty of the President is to *execute* the laws, not to make them; he is, from time to time, to give to Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient. His duty being thus discharged, he is to await the action of Congress; and when a bill is presented to him, he must sign it, or, if he disapprove it, must return it with his objections. It is then in the power of Congress to pass the bill thus objected to by a vote of two thirds.

Now it is important to inquire into the reasons for conferring on the President this power of returning bills passed by Congress. Is the power arbitrary, or is it only to be exerted in certain cases which demand the solemn interposition of the executive veto? It will be found, on looking into the history of the government, that the great consideration which induced the framers of the Constitution to give this

power to the President was to enable him to protect the executive department; and it was certainly intended, also, as a check upon improper legislation. It is stated by Alexander Hamilton, in No. 73 of the *Federalist*:

“The propensity of the legislative department to intrude upon the rights and to absorb the powers of other departments has already been more than once suggested; the insufficiency of a mere parchment delineation of the boundaries of each has also been remarked upon; and the necessity of furnishing each with constitutional arms for its own defense has been inferred and proved. From these clear and indubitable principles results the propriety of a negative, either absolute or qualified, in the executive, upon the acts of the legislative branches. Without the one or the other, the former would be absolutely unable to defend himself against the depredations of the latter. He might gradually be stripped of his authorities by successive resolutions, or annihilated by a single vote; and, in the one mode or the other, the legislative and executive powers might speedily come to be blended in the same hands. If even no propensity had ever discovered itself in the legislative body to invade the rights of the executive, the rules of just reasoning and theoretic propriety would of themselves teach us that the one ought not to be left at the mercy of the other, but ought to possess a constitutional and effectual power of self-defense. But the power has a further use; it not only serves as a shield to the executive, but it furnishes an additional security against the enactment of improper laws.”

This is the reasoning which Mr. Hamilton resorted to in vindication of a power which, when it was conferred on the President, startled the Republicans of that day. It proves satisfactorily that the power was designed to be used as a defensive one, and not as an aggressive one. We all see that the legislative and the executive powers are coming to be blended in the same hands, but is it by the encroachment of the legislative upon the executive department of the government?

Mr. Hamilton adds:

“The primary inducement to conferring the power in question upon the executive is to enable him to defend himself; the secondary is to increase the chances in favor of the community against the passing of bad laws, through haste, inadvertence, or design. * * * The superior weight and influence of the legislative body in a free government, and the hazard to the executive in a trial of strength with that body, afford a satisfactory security that the negative would generally be employed with great caution, and that in its exercise there would oftener be room for a charge of timidity than of rashness. A king of Great Britain, with all his train of sovereign attributes, and with all the influence he draws from a thousand sources, would, at this day, hesitate to put a negative upon the joint resolutions of the two houses of Parliament. * * * A very considerable period has elapsed since the negative of the crown has been exercised.”

Now, sir, I appeal to the country, and I ask, Have our late presidents exerted this power in this spirit?

Have they shown any reluctance to employ it? Is the legislation of Congress as independent and unbiased as it ought to be? Are not the personal opinions of the executive too much consulted? When the President returned, with his objections, the French Spoliation Bill, he was guilty of a clear encroachment on the rights of Congress. There was not a single principle involved in that bill calling for the executive veto. It was a mere act of executive authority when he refused to sign a bill which had received the votes of large majorities in both branches of Congress, on full discussion, and against which there was no constitutional objection.

Story, in his Commentaries on the Constitution, concurs in the views stated by Mr. Hamilton in the Federalist as to the reasons for conferring this power on the President. In the 13th chapter of his third book the subject is fully considered, and the first and main reason assigned for it is "the constitutional necessity of arming the executive with powers for its own defense, to prevent the President from becoming, what it is well known the governors of some of the states are, a mere pageant and shadow of magistracy." A full examination of the debates on the Constitution, and of the writings of other able commentators, to which I have not time to refer, would strengthen the views which I have presented, and clearly show how widely our later presidents have departed from the principles and the examples of earlier times. From the day when the Roman tribune took his seat at the entrance of the senate chamber, and arrested the decrees of that body by the word "VETO," up to

the present hour, there have been more instances of its arbitrary exercise by the President of the United States, standing at the head of a modern republican government, than the whole history of nations besides can show. Mr. Burke, in his letter to the sheriffs of Bristol, remarks,

“The king’s negative to bills is one of the most undisputed of the royal prerogatives, and it extends to all cases whatsoever. I am far from certain that, if several laws which I know had fallen under the stroke of that sceptre, the public would have had a very great loss. But it is not the propriety of the exercise which is in question; the exercise itself is wisely forborne. Its repose may be the preservation of its existence, and its existence may be the means of saving the Constitution itself on an occasion worthy of bringing it forth.”

This is the language of Edmund Burke, a man distinguished as much for his regard for the rights of the people as for his genius and his learning. The exercise of this great power is, in the British government, wisely forborne; it has not been employed in England since 1692.

But, sir, there are other considerations involved in the political contest now going on in the country. The Democratic party is committed to a policy which leads to aggression, war, and conquest, while the Whigs desire to preserve peace with all the world, to stimulate the industry, and to develop the resources of the country. California and New Mexico are ours, and costly acquisitions we must admit them to be; Yucatan has barely escaped our grasp; and what

other neighboring provinces are next to be overrun, and conquered, and annexed, no man can tell. Our true policy is peace. We are set apart by a dividing ocean from the Old World; we have nothing to do with its complicated system; we have no balance of power to preserve—no intervention to make in the affairs of other nations. We should desire friendly relations with every people, entangling alliances with none. When the rights or the honor of the country demand it, we will go to war, as we have done twice with Great Britain; but war is too great a calamity, and too much opposed to the principles of Christian civilization for any insufficient cause. With the blessing of God, we shall advance rapidly enough in a career of peace. Our political system is at once great and economical; it should be kept so. We need never go to war to extend our territory or to increase our wealth and power. Patrick Henry said, in the true American spirit, "Those nations which have gone forth in search of grandeur, power, and splendor, have also fallen a sacrifice and been victims to their own folly."

I was struck last summer with an article which met my eye in one of the best Reviews of our day, a French Review, "*La Revue des Deux Mondes*," in which the writer says,

"The spectacle which North America offers us to-day is nothing less than the whole of the New Continent learning to recognize its masters in the Anglo-Americans, in education; and the simple and beautiful Constitution of 1789, after half a century only of existence, extending an influence under which all must come, sooner or later."

This great triumph, if we are true to our principles, will be accomplished without arms.

Which of these two parties, holding these opposing sentiments, will control the government? The fate of this country and the peace of the world depend on the issue. It is almost as if the direct question of peace or war were put to the people.

The two candidates who are presented to the country for the high office of the presidency represent precisely the ideas which I have endeavored to exhibit as belonging to the two parties.

General Cass is the very embodiment of the aggressive tendencies of the Democratic party. When has he ever been found on the side of peace? When did he ever advocate moderation? Was it when the Oregon question was before the country? He stood out against the adjustment of that question to the last moment. He contended for the boundary of $54^{\circ} 40'$. When the country demanded a settlement upon the barrier of 49° , he would have involved two great Christian and kindred nations in war rather than yield up a portion of remote territory which had long been in dispute. What would have been the result if he had then been President? He displayed the same spirit when the Mexican question came up. He was eager for war—would not listen to sober counsels, but brought all his influence to bear against the wise and pacific policy of Mr. Calhoun. But on territorial acquisitions he would “swallow the whole of Mexico.” He earnestly advocated the scheme of pouring our troops into Yucatan, and was ready to seize Cuba upon the slightest pretext. He, day after

day, urged the adoption of the Ten Regiment Bill when peace was at hand, and by that single measure would have involved the country in a useless expenditure of three millions of dollars. His public character is well known in Europe. An eminent British statesman has sketched it with surprising fidelity. Lord Brougham, in his speech in the House of Lords on the Ashburton treaty, said, in reference to the alarming crisis through which England and America had just passed,

“It was thus rendered inevitably certain that, if any mischance had happened to peace in Europe—if any war, or any thing like war, had broken out on this side of the Atlantic, one spark of that fire which would then have broken out in the Old World, borne across the ocean, would have kindled the train, thus ready laid to explode, extended this flame to America, and involved the New World as well as the Old in endless war. And if I am asked whether there was any likelihood of that spark being flung off, I must refer, though I am loath to broach any matters but those immediately under discussion, to a man existing in France, who may be said to have been, and still to be, the impersonation of hostile feeling, the promoter of discord between America and England.”

Lord Brougham proceeded to name General Cass as this man, and to describe his character and course in terms which I forbear to quote, because I do not concur in some of his sentiments. I refer to this speech to show that General Cass's belligerent qualities are as well known in Europe as they are in America. Such, sir, is General Cass, and it is not easy to

imagine how the government could be intrusted to more dangerous hands.

I turn with pleasure to the candidate of the Whig party, General Taylor, great as a soldier, and greater yet as a man. His life has been passed in the camp, and yet he regards "war at all times and under all circumstances as a national calamity, to be avoided, if compatible with the national honor." There is nothing of a boastful spirit in this beautiful language. It is the sentiment of one who knows what war is, and who knows how to estimate the cost of even the most brilliant victories. Nor is he ambitious of conquests; he comprehends the true glory of his country, and sees that its prosperity is to be advanced by adopting a magnanimous and pacific policy in our intercourse with other nations. "The *principles* of our government, as well as its true *policy*, is opposed to the subjugation of other nations, and the dismemberment of other countries by *conquest*." His idea of the relation between the executive and Congress is singularly clear and just, and is admirably expressed:

"The personal opinions of the individual who may happen to occupy the executive chair ought not to control the action of Congress upon questions of domestic policy, nor ought his objections to be interposed where questions of constitutional power have been settled by the various departments of government, and acquiesced in by the people."

In a single letter he has shed the clearest light upon a subject to which I have already referred; I mean, sir, the power conferred on the President to

arrest the legislation of Congress by the interposition of his *veto*:

“The power given by the Constitution to the executive to interpose his veto is a high conservative power, but, in my opinion, should never be exercised except in cases of clear violation of the Constitution, or manifest haste and want of consideration by Congress.”

Such are General Taylor's opinions, and they will commend themselves to the people of this whole country. His conception of the dignity, the responsibility, and the duties of the executive, his respect for the legislative powers of Congress, and his readiness to obey the popular will within the limits of the Constitution, show him to be eminently qualified for the great trust which we wish to commit to his hands. His position is a noble one. Without solicitation on his part, he has been brought before the country as a candidate for the first office in the government, and such is the confidence in his integrity that no pledges are demanded from him. The strongest pledge which the country can have is to be found in his own great qualities. Unselfish and unambitious, he yields himself to the call of his countrymen; he has no private purposes to accomplish, no party projects to build up, no enemies to punish—nothing to serve but his country. His great character is gloriously exhibited in his military career. We are at a loss whether to admire most his faithful discharge of every duty, his genius and courage in battle, or the humanity which impelled him, when the battle was over, to minister to suffering. The eagles of his

country have never known defeat when borne by him. There is a self-reliance about him—a consciousness of strength—a determination to drive his enemy before him, which makes an army under his command invincible. Cromwell was accustomed to ride down at the head of his Ironsides against the most formidable hosts, and dash against them like a living avalanche which nothing could resist; and, like him, Taylor, with his strong will, his iron purpose, and his unflinching courage, has, at the head of a few well-trained American troops, driven before him powerful armies. Perhaps in the history of the world the power of a single will was never more triumphantly exhibited than it was at Buena Vista. Taylor had been advised to fall back for safety on Monterey. Stripped of some of his best troops—far advanced in the enemy's country, with an army numbering only about four thousand, and but one tenth of them regulars—with no reserved force to support him—with the intelligence brought in that Santa Anna, at the head of twenty thousand men, was marching against him, there he took his position in a gorge of the Sierra Madre, and determined to meet the shock of battle. If we desire to know what thoughts occupied the mind of the American commander when he took that responsibility, we have only to open a letter written to a friend the evening before the battle. Comprehending the danger of his position, and conscious that a great struggle awaited him, he commits to writing the sentiments which filled his heart:

“This may be the last communication you will receive from me. I have been stripped by the govern-

ment of regular troops, and reduced in volunteers; and thus stripped, and at the mercy of the foe, I have been expected by my country to retreat or resign. But I shall do neither. I care not for myself, but I feel deeply for the noble soldiers who are about to be sacrificed by their country. We shall stand and give them battle, relying on a just Providence for a right result."

No, sir, he would neither retreat nor resign; he would fight. There flashed forth a great spirit: the battle came; the odds were fearful, but who could doubt the result when American troops stood in that modern Thermopylæ, and in the presence of such a leader? It was in vain that Mexican artillery played upon their ranks, or Mexican infantry bore down with the bayonet, or Mexican lancers charged. The spirit of the great leader pervaded the men who fought with him, and a single glance of his eye could reanimate a wavering column. Like Napoleon at the Danube, he held his men under fire because he was exposed to it himself; and, like him, wherever he rode along the lines, mounted on a white charger, a conspicuous mark for balls, men would stand and be shot down, but they would not give way. Of Taylor on that day it may be said, as it has been said of Lannes at Montebello, "He was the rock of that battle-field around which men stood with a tenacity that nothing could move. If he had fallen, in five minutes that battle would have been a rout." That battle closed General Taylor's military career, and that battle alone gives him a title to immortality. His country will now need his services at home. There are other gen-

erals to whom she may commit her armies; there is but one to whom she will intrust the government.

It is a glorious spectacle to see such a man called to administer the government: he rises far above party; he looks into the open Constitution for his guide. Men of all creeds welcome him, and invoke God's blessing upon him in his great task. With a slight change of words, we may apply to him the celebrated prophecy which hailed the advent of a British sovereign whose reign opened under auspices promising to advance the glory and prosperity of the realm:

“ In his days every man shall eat in safety
Under his own vine what he plants, and sing
The merry songs of peace to all his neighbors.”

GOVERNMENTS FOR THE NEW TERRITORIES—THE NORTH AND THE SOUTH.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, FEBRUARY 10th, 1849.

The House being in Committee of the Whole on the State of the Union, and having under consideration the bill providing governments for the new Territories, and in respect to slavery therein, Mr. Hilliard said,

MR. CHAIRMAN,—I shall follow the example of the gentleman from Virginia (Mr. Preston), who addressed the committee a day or two since, and proceed at once to give my views of the importance of establishing a government for the inhabitants of the territory recently acquired from Mexico, based upon principles which seem to me to be perfectly proper in themselves, and which promise tranquillity to the whole country. I am not insensible to the importance of this question. A question of greater magnitude has not come up in our time; and in addressing myself to it, I shall endeavor, so far as may be proper, to lose sight of my allegiance to party or section; I shall hope to treat it as a great American question.

In my judgment, the transfer of that territory to the United States has devolved on us an important duty—a duty which we can neither overlook nor neglect. We are in full and undisturbed possession of an extensive region, which was subjected to our arms during the late war with Mexico, and which has since been ceded to us by a treaty concluded with that re-

public, the ratifications of which were exchanged at Queretaro on the 30th of May, 1848. By the terms of that treaty, the government of the United States is bound to pay to that of Mexico fifteen millions of dollars, and also to assume and pay to the claimants all the amounts which may be due to them by reason of the claims already liquidated and decided against the Mexican republic, under the conventions heretofore held between that government and our own, as well as certain other demands which our citizens may have against the Mexican government, not exceeding three and a quarter millions of dollars.

Now, sir, this territory, for the cession of which we have undertaken to make these payments, is, as I have already observed, in our possession; our people are at this moment engaged in gathering the rich treasures which its mines yield. It has been wrested from Mexico; it can never be restored to her. I can see no mode of escape from the payment of this debt. In my judgment, the national honor is involved in making the payment which the treaty provides for; and though I most reluctantly differ from some of my friends who have already expressed themselves on this point, I am compelled to say, that while I clearly recognize the right of this House to participate, to a certain extent, in the negotiations carried on by the other branches of the government, so far, at least, as the granting the necessary appropriations to perfect these negotiations is concerned—holding this doctrine, clearly admitting it, being quite ready to allow that cases might come up where I should be in favor of exerting that right on the part of the

House, yet, under the present circumstances, I could not, under my obligations as a member of the American Congress, vote to withhold from Mexico the payment of the sum which we are bound by the treaty to make. A territory torn from a feeble government, now in our full possession, forever separated from the republic to which it belonged, must be paid for. To refuse it would be to expose ourselves to the charge of national repudiation in a very offensive sense. Whether we give or withhold a government, the territory must be paid for in perfect good faith. I hold this to be our first duty.

Again, sir, I think we ought to provide a government for the inhabitants of that territory with as little delay as possible. Numbers of our own people have already gone there, others are on their way, and these will need our protection. By looking into the treaty, especially at the ninth article, it will be seen, too, that we have undertaken to protect those Mexicans who, by remaining in the ceded territory, have become citizens of the United States, in the full enjoyment of their liberty and property. How can we discharge this duty if we do not provide a government for them? How can we protect them, unless we extend over them our jurisdiction and authority? I say, then, that our first duty is to pay for this territory, and our next to provide a government for its inhabitants. We ought to do both as speedily as may be.

Heretofore, every attempt to provide a government for this territory has proved fruitless. An important question involved in it has baffled the wisest

counsels. Before proceeding to give my own ideas of this great question, which I shall do with diffidence, but at the same time with entire earnestness and candor, I shall recur to a history of the attempts which have been made to settle it.

It will be remembered that some time during the last session of Congress, a distinguished senator from Delaware (Mr. Clayton) brought forward in the Senate a measure named by its friends the Compromise Bill, which undertook to dispose of the question. That bill sought to establish a territorial government for the inhabitants of that territory, without making any provision for the adjustment of the conflicting claims of the North and the South, but turned them over to the judicial tribunals of the country, to ascertain the extent of their privileges. It passed the Senate after an interesting debate, and came to this House, where, upon the motion of my friend from Georgia (Mr. Stephens), who sits before me, animated by the most patriotic motives, as I have never doubted, by a vote of 112 to 97, it was laid on the table. The proposition failed. There existed too great a conflict of opinion as to its effects to allow the hope that it would settle the question. It would have divided opinion throughout the country still more widely, ranging the Northern and the Southern states as contestants before the Supreme Court.

The second attempt to settle this question appeared in an amendment moved by a senator from Illinois (Mr. Douglass), for whom I entertain a high respect. He proposed to attach to the Oregon Bill, then before the Senate, an amendment, extending the Mis-

souri Compromise line to the Pacific Ocean, in the same sense and with the same understanding in which it was originally adopted, applying it to all territory now belonging to, or hereafter to be acquired by the United States. That proposition came to this House, and was here rejected by a vote of 82 for and 121 against it. The bill went back to the Senate; that body receded from its amendment; the Oregon Bill was passed without this recognition of the compromise line; it received the signature of the President, taking away from this measure one great element of adjustment, of which it should never have been deprived, and this question is still open. Now I desire to say that, in my humble judgment, that would have been a perfectly fair settlement of this great question. The line which it proposed to stretch to the Pacific Ocean was a marked line. It had a historical weight about it. It had the sanction of patriotic example. It would have disposed forever not only of the present question, but of all kindred questions. The House thought proper to reject it, and, of course, I must acquiesce in that decision.

There is another question directly connected with this of which I have been speaking, on which I desire to offer some views, and which ought also to be settled. By the joint resolution of March 1, 1845, admitting Texas as a state into this Union, or, rather, providing for her annexation to the United States, it was enacted that the state should be formed, subject to the adjustment by this government of all questions of boundary that might arise with other governments. Now it is perfectly well known that

Texas had a disputed question of boundary with Mexico at the time of her admission. That state, by an act of her own Congress of December, 1836, declared her western boundary to be the Rio Grande, the whole extent of it from its mouth to its source, and thence due north to the forty-second degree of north latitude. We annexed Texas, claiming that boundary, and we undertook to settle her quarrel with Mexico. An attempt to do this by negotiation failed. A resort was had to arms. The government of the United States proceeded to urge our right to the country embraced within the limits of Texas, thus defined, against Mexico. Now it will be very well remembered that we claimed the country bordering on the Rio Grande as our own soil, through no other right than that which we had derived from Texas. We sent our troops there to occupy that territory, distinctly on the ground that it was embraced within the limits of the Republic of Texas, which, having been annexed to the United States, devolved on us the duty of protecting its soil from violation. On the very banks of the Rio Grande the battles of the 8th and 9th of May were fought; and here I can not forbear to say that the crowning victory of that second day, as Cromwell would have called it, not only shed its undying lustre upon the American flag, but disclosed to our eyes one who has never since been lost sight of—one who, having earned upon successive battle-fields a military fame which gives him rank with the greatest captains of any age, is about to enter on a career which will cover him with as much civic glory.

Whatever may be thought of the claim of Texas to the Rio Grande as her western boundary, as against Mexico, it must be seen that her claim, to the full extent of her limits, as against the United States, rests on the strongest ground. Our late treaty with Mexico has put us in undisputed possession of every foot of the territory claimed by Texas in her contest with that republic. The western boundary claimed by Texas before her annexation to the United States—a boundary which this government, after her annexation, undertook to assert and to secure by negotiation, and, failing in that, occupied and held by force; a boundary which we have compelled Mexico to admit, must be the boundary of Texas as one of the states of this Union. There is no longer a party left to dispute this boundary. Having extinguished the claim of Mexico, Texas is left with a clear title to the full extent of the limits which she defined and asserted as against that republic. The government of the United States can not appropriate to its own use any part of the disputed territory. It reserved the right to adjust questions touching the boundaries of Texas with other governments. The only question of boundary in which Texas was interested has been settled by us in our late treaty with Mexico, and this government is now estopped from saying any thing against the claim of Texas to the boundary which she originally marked out for herself. So clear is this, that the President of the United States, in a special message sent to this House in July last, distinctly and fully admits the claim of Texas in all its extent. I very well remember that a gentleman

from Kentucky (Mr. Duncan) addressed an argument to the House last summer, a short time before the adjournment of Congress, in which he maintained the claim of Texas to her western boundary in the most clear, satisfactory, and convincing manner; it is an argument which I think any gentleman holding different opinions will find it difficult to answer.

These two questions, then—that respecting the government of the territory which we have acquired from Mexico, and that respecting the limits of Texas—are kindred questions; they ought to be settled at the same time, otherwise you transfer the dispute as to the boundaries of that state to the new state which you propose to form out of the territory which was involved in it while it constituted a part of Mexico. At this moment the subject is within your control. When states shall have been formed and admitted, it will cease to be so forever. I can conceive of no question more delicate or more difficult than that of deciding between the conflicting claims of sovereign states as to domain. Yet this is the very question which you are about to bring up, if, without defining the limits of Texas, you proceed to form or admit a new state, asserting its right to territory east of the Rio Grande.

It is better to avoid this great question by wise legislation than to turn it over to the highest judicial tribunal in our country for its decision, after it shall have assumed the gravity of a dispute as to domain between two sovereign states of this Union. Let us give to the inhabitants of the territory which we have lately acquired a government; let us declare and fix the limits of Texas.

Not only are these kindred questions—they are disturbing questions. They have never ceased to excite us since the admission of Texas. Is this agitation, I ask, to go on? There are persons who are deeply interested in keeping up this agitation. Preferring tempest to tranquillity, they let loose the winds from their caves to blow upon the great deep; but, most fortunately, we, like Neptune, hold the trident which can still the wild waters, let the winds blow ever so fiercely. Shall we exert that power, or shall we sit inactive in the midst of such a scene?

Having observed no disposition in any quarter of the House to move in a matter which is certainly formidable enough, I brought forward two bills which I tendered to the House, and desired to submit to a select committee, which committee might give them a candid, thorough, patient examination, and report upon them. I did it because I believed there was merit enough in the proposition, if it could be fairly brought before the House, to give hope of its success. But before the proposition could be fairly exhibited—before even the whole plan could be presented, the most violent opposition was shown to it; and being unwilling to suffer one part to go out unaccompanied by the other, I withdrew both bills, and shall offer them as a substitute for the bills reported from the Committee on Territories.

I wish now briefly to explain the plan to which I have referred, and which I think the proper one for putting these questions forever at rest. I propose to authorize the people inhabiting that part of California west of the Sierra Nevada to form a Constitution,

and apply for admission as a state into this Union. The boundaries of that state would be these: lying on the Pacific, extending eastward to the summit of the Sierra Nevada range of mountains, it will have Oregon on the north, while it will bend with the Sierra Nevada range in a southwest direction, finding its southern limit at the parallel of $34^{\circ} 30'$, where, from an inspection of the map, it will be observed, that range of mountains touches the Pacific Ocean. These are natural boundaries. The waters at the southern base of these mountains empty into different channels, parting as on a dividing ridge, and running northward and southward. Within these limits may be formed a state which, besides its great mineral wealth, its beautiful and fertile valleys, and its delightful climate, will own the finest harbors on the Pacific coast.

One of our own countrymen (Frémont), whose genius and whose training eminently qualify him for the task of estimating the advantages of such a region, and the fidelity of whose descriptions is unquestionable, says of that part of California,

“West of the Sierra Nevada, and between that mountain and the sea, is the second grand division of California, and the only part to which the name applies in the current language of the country. It is the occupied and inhabited part, and so different in character, so divided by the mountain wall of the Sierra from the Great Basin above, as to constitute a region to itself, with a structure and configuration, a soil, climate, and productions of its own; and as Northern Persia may be referred to as some type of

the former, so may Italy be referred to as some point of comparison for the latter. North and south, the region embraces about ten degrees of latitude; from 32° , where it touches the peninsula of California, to 42° , where it bounds on Oregon. East and west, from the Sierra Nevada to the sea, it will average, in the middle parts, one hundred and fifty miles; in the northern parts, two hundred, giving an area of above one hundred thousand square miles.

* * * * *

“Perhaps few parts of the world can produce in such perfection so great a variety of fruits and grains as the large and various region inclosing the Bay of San Francisco, and drained by its waters. A view of the map will show that region and its great extent, comprehending the entire valleys of the Sacramento and San Joaquin, and the whole western slope of the Sierra Nevada.”

This will give us some idea of what the State of California, with its appropriate boundaries, is likely to become.

The territory not included within the limits of that state, nor embraced within the boundaries of Texas, as I propose to run them, may be governed in such manner as Congress may prescribe until it contains sufficient population for a state.

In defining the limits of Texas, I would cut off from that state all her domain lying above the parallel of $36^{\circ} 30'$ north latitude, a territory of great extent, which, it has been well stated by the gentleman from Kentucky, to whom I have already alluded (Mr. Duncan), is conceded to be large enough to form at

least two states. It is known to contain 43,537 square miles. Let the northern boundary of Texas begin where the parallel of $36^{\circ} 30'$ cuts her eastern boundary; let it extend along that parallel, westward, to the summit of the Sierra Nevada range of mountains, already fixed on as marking the eastern limits of the State of California, and thence follow those limits to the Pacific Ocean. I would grant to Texas all the territory lately acquired from Mexico south of the northern boundary which I have just sketched, subject to the conditions under which Texas was admitted into the Union. The joint resolution for annexing Texas to the United States provides, among other things, that "new states of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by consent of said state, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution. And such states as may be formed out of that portion of said territory lying south of $36^{\circ} 30'$ north latitude, commonly known as the Missouri Compromise line, shall be admitted into the Union with or without slavery, as the people of each state asking admission may desire. And in such state or states as shall be formed out of such territory north of said Missouri Compromise line, slavery or involuntary servitude (except for crimes) shall be prohibited."

I would, of course, provide also that all public lands within the territory thus granted to Texas should be reserved to the United States.

These are the great features of the bills which I

wish to submit for the consideration of the committee, and they agree, in the main, with those of the bill brought forward by the gentleman from Virginia (Mr. Preston); at least, we both desire to relieve the inhabitants of the territory which is the subject of our legislation from territorial restraints as soon as they are in circumstances to form and maintain a state government. We differ upon the subject of boundaries: he would give the vast region which has been ceded to us by Mexico to the jurisdiction of the inhabitants now there, who are mainly concentrated in the neighborhood of San Francisco, and authorize them to create a state, stretching its authority over its whole extent, and regulating by its laws the right of property for the people who are already upon the soil, and who may hereafter make their abode there. Now, sir, I am quite ready to concede to the people of California proper—a community residing west of the Sierra Nevada—the right to form a state, with its proper boundaries, but I am not willing to allow them to stretch their jurisdiction along the whole Pacific coast, and embrace within their limits the whole extent of the vast region lying outside of those proper boundaries, settling in advance the great questions now before the country, and deciding by their laws upon the rights of our citizens who may wish hereafter to reside there.

If the people of California proper are ready to come into this Union as a state, let them come in; the bill which I have the honor to submit provides for their admission. But why should the whole territory be subjected to their legislation? The right

of a people to establish a government for themselves—a great popular right, which I shall never deny—is one thing, and the extent of their domain is quite another thing. It may be very important to allow the people west of the Sierra Nevada to exercise this right at this time, and I desire that they shall exercise it speedily; but it does not follow that it is wise or proper to allow them to subject the whole extent of our lately-acquired territory to their laws for all time to come. The very principle for which the gentleman contends would forbid this, for the grant of such a power as he wishes to confer upon the inhabitants already in California would deprive future settlers in other parts of our new territory of the right of establishing a government for themselves.

The bill offered by the gentleman from Virginia makes no provision respecting the limits of Texas, but leaves the boundary of that state to be ascertained and fixed by the judicial tribunals of the country.

I wish, sir, as I have already said, to settle that question, and in defining the limits of Texas I would deal with her liberally. I would reward the confidence with which she came into this Union by a generous reception. I would treat her claims as a powerful confederacy ought to treat the claims of a great state—a state heretofore sovereign and independent, and voluntarily subjecting herself to the authority of our Constitution. Do not, with this state in your presence asserting her ancient rights, turn her over to your courts, and instruct them to look carefully into “the bond,” and then fix her limits within the narrowest bounds.

It will be seen that the settlement which I propose is an approximation to the Missouri Compromise line; but there are important points of difference. By that line, as it was drawn by the senator from Illinois in his amendment to the Oregon Bill, Texas was left in possession of her entire domain, stretching up to the 42d parallel of latitude, while the Compromise line was extended to the Pacific Ocean, cutting off the base of the State of California lying within the boundaries which I have described. Now the bill which I offer cuts off from Texas all her territory north of $36^{\circ} 30'$, and leaves the State of California in possession of its entire territory, pursuing a natural and great boundary until it enters the Pacific Ocean at the parallel of $34^{\circ} 30'$ north latitude.

So far as slavery is concerned, it is conceded that it will never enter any part of the territory lying above $36^{\circ} 30'$ not embraced within the contemplated State of California, while no one doubts that the State of California, when organized, will prohibit its introduction. That part of the territory granted to Texas will be covered with a population who will tolerate or exclude slavery, as the soil, the climate, the relative situation of that region, and the wishes of its inhabitants may determine, referring that question to the decision of the people of the states hereafter to be formed there. I suppose it is admitted that Texas will, at some day, be subdivided into several states. By the resolution of annexation, it was provided that this should take place, with the consent of Texas, when her territory contained a sufficient population. I am willing to rely upon the patriotic spirit of the

people of that state for their consent to this arrangement; if other gentlemen are not, it may be specially provided for in this bill, by making it a condition precedent of this extension of her limits, that this subdivision is to be made by the government of the United States at some proper time, to be judged of by Congress, out of territory lying north of the *Ensenado*. Gentlemen representing states interested in the exclusion of slavery from all territory belonging to the United States may, it seems to me, readily consent to vote for this measure. It takes from Texas a large part of her domain, for the loss of which she is compensated by an extension of her western boundary. It does not establish slavery within any part of the new territory subjected to the jurisdiction of Texas, but leaves the existence of that description of labor to depend for the present upon natural causes, and refers it hereafter to the decision of the people that may reside there. The right to decide this question for themselves is one of those great political rights of which no one should desire to deprive them. The states formed out of the territory taken from Texas, lying north of $36^{\circ} 30'$, would exclude slavery, while those lying south of it might tolerate or exclude it. But the great advantage secured by such a division of the territory would be that a class of states lying below that line, as well as those lying above it, would be homogeneous in their character.

Let us now inquire into the comparative advantages which the northern and southern portions of this confederacy would derive from such an adjust-

ment of their conflicting claims. The number of square miles in that part of the territory lately ceded to the United States, not embraced within the limits claimed by Texas, is 526,078; of this, New Mexico contains 77,387 square miles, while California measures 448,691. It will at once be seen what a disproportion would exist between the respective shares of the North and the South, if all California should be given to the former and New Mexico to the latter.

By confining the limits of Texas within the parallel of $36^{\circ} 30'$, and extending that line, as I propose to do, the North would hold possession of a part of the domain of Texas amounting to 43,537 square miles, of California 303,457 square miles, and of New Mexico 33,898—in all, 380,892 square miles; while the South would receive of California only 145,234 square miles, of New Mexico 43,489 square miles—in all, 188,723 square miles: giving to the North an excess, under this division, of some 200,000 square miles.

Let it be borne in mind that the territory of Texas alone, which would be cut off to the North by the line which I desire to draw, would be sufficient to make six states, each one as large as the State of Massachusetts, or a single state larger than Ohio, and nearly as large as New York. When you come to survey the fine harbors embraced within the proposed State of California, especially that of San Francisco, which, in the language of one of our naval officers, is large enough to contain all the shipping of the world; when you come to consider the mineral wealth of that region, its productive soil, and its

beautiful mountain slopes, you perceive that the North would receive the lion's share, while the South would hold but a small part of the Pacific coast, embracing the inconsiderable harbor of San Diego. Frémont says the "Bay of San Francisco has been celebrated, from the time of its first discovery, as one of the finest in the world, and is justly entitled to that character, even under the seaman's view of a mere harbor. But when all the accessory advantages which belong to it—fertile and picturesque dependent country; mildness and salubrity of climate; connection with the great interior valley of the Sacramento and San Joaquin; its vast resources for ship timber, grain, and cattle—when these advantages are taken into the account, with its geographical position on the line of communication with Asia, it rises into an importance far above that of a mere harbor, and deserves a particular notice in any account of maritime California. Its latitudinal position is that of Lisbon; its climate, that of Southern Italy; settlements upon it for more than half a century attest its healthiness; bold shores and mountains give it grandeur; the extent and fertility of its dependent country give it great resources for agriculture, commerce, and population."

Add to this extensive and important region (which, under the plan we are now considering, goes to the North, increasing its maritime power) Oregon, with its 341,467 square miles, you find that the domain recently acquired on the Pacific by that section of the Union is overshadowing.

This brings me to a part of the question which I

desire to press upon the consideration of this committee with earnestness. Is it intended to exclude the South from all participation in our acquisition upon the Pacific coast? Will the North, with its vast Atlantic possessions and its vast Pacific acquisitions, insist upon shutting out the South forever from all participation in the benefits of this great accession to our maritime power? Can not our institutions, which we brought into the confederacy with us, and about which the Constitution, from the very first hour of its existence—springing into being, like *Minerva*, full-grown—threw its protecting ægis—can not these institutions be carried there with us? Are we to be now excluded, thus settling forever the political question that the South can have no share in the acquisitions which may hereafter be made along the Pacific coast? swelling the already vast power of the North, and making the disproportion against the South still greater.

I do not allow myself to entertain any jealousy of the North. On the contrary, I rejoice in the prosperity of that part of my country. I glory in the great qualities of New England, for instance—qualities which have covered rock-girt regions and a reluctant soil with every exhibition which wealth, and genius, and civilization can furnish—qualities which have been gloriously displayed, both in peace and in war—qualities which have enabled her to carry the flag of our country in triumph over the ocean, whether against British vessels, bristling with guns and bearing the cross of St. George, or in the quiet pursuit of a peaceful commerce, or following the whale

into the Arctic seas. These are qualities in which I claim a participation. They do not belong to New England, they belong to the whole country. But, while I make this admission—it is not an admission—while I proclaim this sentiment with all the warmth of my heart, I desire to say with equal sincerity that, in my judgment, the balance of power which has heretofore been maintained by the two great sections of our confederacy is essential to wise and conservative legislation, and to the preservation of our institutions. Firmly believing this—it is from no hostility to the North, it is from a profound conviction that the best interests of the whole country demand that this equipoise, if possible, shall be maintained—believing this, as I do, I can not give my consent to any policy which shall strengthen the disproportion against the South, or make the influence of the North still more powerful. If any bill is to pass this body by which the South is to be shut out from all participation in our late acquisitions, that bill must pass without my aid.

Mr. Chairman, I am about to make a statement which may be thought to have the demerit of too much frankness. I shall make it in all candor. There is a domestic institution in the South which in some sort insulates us from all mankind. The civilized world is against us. I know it; I comprehend it; I feel it. A sentiment which took its birth in England, which has since spread over the Continent of Europe, which now covers a large proportion of our own country—that sentiment, gathering strength with every advancing year, threatens to over-

whelm us. The tide has been rising higher and higher, until, sir, we begin to feel the spray breaking over the very embankments which surround us. Our moral condition at the South resembles the physical condition of Holland, where dikes, thrown up by the ingenuity of man, hardly protect the habitations of man against the incursions of the sea. If the South were in a commanding position, I should be willing to concede much; but because of her very weakness, I shall stand by her to the last. My eyes first beheld the light there, and there my eyes shall close upon it. I was nurtured in the bosom of the South, and I wish to rest in her bosom when this consciousness is at an end, and this form wasting in the dust. No change of circumstances, no overwhelming power arrayed against her, no decline of her fortunes, can ever induce me, for one, to forget or to forsake her.

"For, though the ear be all unstrung,
Still, still it loves the Lowland tongue."

Holding the opinions that I do—representing a people thus invested by the civilized world—I can not consent, for one single moment, to abandon any part of their claims. Before I consent, by any act or vote of mine, to surrender one jot or one tittle of the rights, or the honor, or the glory of the South, "my right hand shall forget its cunning, and my tongue cleave to the roof of my mouth." I know that the gentlemen who surround me from the other portions of the confederacy respect me the more for the sentiment. If the South can not rely upon us to urge her claims and vindicate her honor, where, in all the earth, can she look for advocates? No; rep-

resenting a people invested as we are, I can never give my consent to any measure which diminishes any portion of their rights.

I have already, Mr. Chairman, shown the points of resemblance and the points of difference between the bill offered by the gentleman from Virginia (Mr. Preston) and the measure which I have the honor to submit. Now I intend, throughout this entire speech, to use the utmost frankness. If the whole territory ceded to us by Mexico is made one state, as that gentleman proposes it shall be, then this question, for which we have all along been contending, is decided against us. Who does not see it? Who does not comprehend it? The very regiment first sent out by the President of the United States, that from New York, would have decided it against us long ago; and if you leave it to the people now there to settle this question, it is forever gone. I see it too well to doubt it for a single moment. If we have been contending for any substantial right, it is to be given up. I do not know that we can do better; the time for protecting the South was when the treaty was before the Senate. There was the field upon which our rights might have been maintained; and since that fortunate hour has been suffered to go by, it may be that it is too late to retrieve our fortunes. But I do not hesitate to say, in full view of my friend (Mr. Preston), and with perfect respect for his patriotism as well as his intellect, that if we accept the bill of the gentleman, we shall be in circumstances precisely similar to those in which Francis I. found himself after the battle of Pavia, and in writing to our con-

stituents we may employ the very language which he addressed to his mother: "All is lost save our honor." Who questions this? I admit that our honor is worth all the rest. But who does not perceive that to make a single state out of this new territory, and to allow the people there to-day, inhabiting a part of the territory, to legislate for the whole of it—to subject its entire extent to their exclusive jurisdiction—to allow them to decide upon the question of slavery or no slavery, is substantially to abandon every thing which the South has heretofore claimed? I do not desire to influence the votes of gentlemen either from the South or the North; let them take the question on their own responsibility; but I frankly give my view of the effects of the bill which the gentleman proposes.

It is said that slave labor can never be carried profitably into that region. Why, then, I ask, seek to exclude it by odious legislation? What patriotic motive—what high consideration—what generous impulse can urge gentlemen to press upon us an offensive measure, in advance of an exclusion which, they insist, will be as certainly secured by the existing laws of nature? It is nothing short of bigotry—mere blind bigotry—which, in the language of an Irish orator, "has no head, and can not think—has no heart, and can not feel." Why urge a measure of this sort? Why not leave to the laws of nature what the laws of nature will surely accomplish?

There can be no objection to the size of the State of Texas, with the boundaries which I propose for it, that does not apply with equal force to the State of

California, which the gentleman from Virginia proposes to create. If it be said that Texas will be too large with this extension of her boundaries, I would ask if California will not be too large, covering the vast region which is to be embraced within its limits? Do you object to extending the boundary of Texas to the Pacific? You must, then, also object to extending the boundaries of California from the Pacific to the limits of Texas. Let it be borne in mind that this is to be a temporary arrangement; that the new territory which I propose to give to Texas is to be subdivided hereafter into states. I regard it as a limited subjection to the jurisdiction of Texas—a subjection which will cease when it possesses a sufficient population to form a separate state. Virginia was once a state vast in extent; so was Georgia; but both these great states, animated by patriotic motives, have surrendered a large amount of their territorial possessions. Texas will follow their example.

Neither can there be any objection to altering the boundary of California or New Mexico. Mexican provinces have no fixed boundaries like our states, but are modified or subdivided to suit the convenience of the supreme power.

I confess, sir, my desire to secure the vast region which we have recently acquired by treaty, and to see it embraced within the Union as an integral part of our domain. We may spread our system of government with perfect safety. Our progress is pacific. It grows out of the inherent energy of our people and the character of our institutions. The progress of the Roman Empire was military; the weight of

its chariot-wheel crushed every thing in its course; tribes, provinces, nations, were subdued by the force of arms, and were held in subjection by resistless power. When they recovered strength, they threw off the yoke, and turned their spears against their oppressors. Such a system lost its strength by extension. A decay of the central power suffered the remote possessions to feel their independence and assert their liberty; and an empire built up by arms, covering the civilized world, making a single city the seat of boundless imperial power, fell by its own weight. The very principle upon which the structure was raised announced the certainty of its destruction. Our system, too, is a representative republic—local in one respect, and federal in another. In the philosophical language of Montesquieu, quoted with approbation by Alexander Hamilton, who was one of the first, if not the first statesman to whom this country has given birth, “A CONFEDERATE REPUBLIC has all the internal advantages of a republican, together with the external force of a monarchical government. As this government is composed of small republics, it enjoys the internal happiness of each; and with respect to its external situation, it is possessed, by means of the association, of all the advantages of large monarchies.” We can afford to spread a government over this entire continent—at least, so much as belongs to us—without the slightest apprehension of internal disorders or of dissolution. The truth is, we find our strength in our union. Neighboring states are rival states. I have seen it recently stated that the wars of the time of Louis XIV.,

and since, are, at this day, an annual charge upon the states of Europe of five hundred millions of dollars, besides several millions more, which must be taken into the account, for maintaining standing armies to protect themselves against each other. Who desires to see such a state of things upon this continent? Who would give away any portion of our territory? Some of the very considerations which induce me to maintain the Union as it is now would induce me to embrace within the Union all the territories which belong to us. I am, therefore, opposed to the idea which I have heard thrown out in conversation, and sometimes expressed where the gravity and dignity of a speech go with it—the idea of cutting off any part of this territory which now belongs to us, so as to make an independent republic. A senator, distinguished for his intellect and his learning (Mr. Benton), said, I believe, in a speech delivered by him some years since, that “he desired to see the god Terminus placed on the summit of the Rocky Mountains, marking the boundary between the two republics—an Atlantic republic and a Pacific republic.” I do not, for a moment, participate in the sentiment. It does not meet my approbation on any single principle; and I am happy to see that distinguished senator himself now urging the construction of a great national highway across the continent. The danger of border wars, conflicting commercial systems, rival interests, all forbid the existence of an independent kindred state; the national safety, national tranquillity, and national glory, all demand an extension of our political system over our entire domain. I trust that “the

god Terminus" will never stand on the Rocky Mountains, nor on the Sierra Nevada, but that he will sink under the placid waves of the Pacific, and that our government will be outspread over the entire region which belongs to us. I desire to realize the picture of one people extending from the St. Lawrence to the Gulf of Mexico, and from the Atlantic to the Pacific, living under the same laws, speaking the same language, professing the same religious faith, bearing the same national standard, calling up the same glorious recollections, and looking forward to the same glorious hopes. This is what I desire to see realized. The sun in his course has looked down upon many a glorious exhibition of commercial wealth and political power; he has seen the Assyrian, the Macedonian, and the Roman empires rise and fall; he sees, to-day, the British empire in the full pride of its power; but never, in his whole course, has he turned his burning vision upon a spectacle of commercial wealth, political power, and national glory like that which this country will present when we have carried our institutions over our entire domain. For one, I desire to realize it, and to realize it as speedily as possible.

There is, in my judgment, a great advantage to be derived by the American nation from the acquisition of California as an essential and permanent portion of this republic. I do not speak of its mineral wealth. I allude to considerations far more important—I mean its harbors. We need harbors on the Pacific coast. We must have them; and California, as it happens, presents the finest the world has ever seen. I have already referred to the harbor of San Fran-

cisco. Before we pronounce this to be a small acquisition—for I can not consent to view it in a party light, opposed as I was to the acquisition of territory, and to making war upon a feeble people; opposed as I was to it, I regard the question as now settled, and I am prepared to estimate the full value of the acquisition—we must look to the trade with Asia; we must look to the gainful traffic of the Eastern Archipelago and of China before we pronounce this a light or trifling acquisition. The time is not far distant when we shall import into California the muslins, silks, teas, and other commodities of great value produced by China. The time is not far distant when the neighboring islands will be covered with an industrious and civilized population, consuming our products and exchanging their commodities with us.

The time is not far distant when our Eastern trade, now carried on with Asia at great risk, running the gauntlet of the British naval posts, will be transferred to the tranquil bosom of the Pacific, and be conducted in comparative security. The time is not far distant when an idea will be realized which I remember to have thrown out in the first speech I ever made on this floor: we shall have a rail-road running through our entire domain, connecting the East with the West, and the trade and travel of the whole world will be turned across this road, through our western ports, into the Pacific. I confess I value an acquisition which brings to us a promise of this sort; and, for one, I shall do all in my power—as Mexico has lost the territory, as it is now in our possession—toward securing it, and making it a permanent part of our

possessions. When the institutions of this country are thus carried out—when our religion, and laws, and civilization are seated on the shores of the Pacific—when they begin to spread their splendor over the neighboring islands and upon the distant East—then, I say, this country will present a picture which the philanthropist, the statesman, and the Christian may contemplate with unmixed delight. Let it come in our time—the sooner the better. I earnestly desire it may all be realized.

But while I have this feeling in all the strength with which I have expressed it, at the same time I do not hesitate to say that I prefer the Union of these states to any increase of wealth or any accession of power. I love old alliances too well to seek new ones at the expense of the old. Highly as I value California, glorious as is the picture which the future presents, I would cast it all away, as my eloquent friend from Indiana (Mr. Thompson) said the other day, rather than put in peril this Union as it exists to-day

Sir, I do not regard the Union as in any danger. Far from it. But the time may come when the fraternal feeling which gives this Union all its value may be destroyed. The time may come when the lofty patriotism which now pervades the American bosom, and makes the American feel—whether treading the hills of New England, the plains of the South, or the prairies of the West—

“This is my own, my native land,”

may expire—when every thing like patriotism shall be lost, and national glory and national power shall

be maintained at the sacrifice of that sentiment which first brought these kindred states into voluntary and cordial union.

I have already said that I am a Southern man by birth, by rearing, by allegiance, by all the mighty sympathies which can bind the heart of a man to his people; but I claim the wider and still more glorious privilege of being a citizen of the American Union; and while I love the South, I should love the South less if it did not form a part of this Union. No act of mine shall ever do any thing toward surrendering the glory and the rights of the section from which I come; no act of mine shall ever do any thing toward weakening the tie which binds us together as a common country. I have heretofore never participated in any scheme of that kind, and while God gives me reason I never shall. I will encounter any hazard, here or at home, before I will take part in any combination looking to any such purpose. There are rights, many rights, dear to us as a Southern people. I know it. But no man shall make me count the cost of this Union; no man shall bring me to the point when I will run over the estimate to see what I can afford to give up, the South or the Union. I will cling to both. I will never be brought into a cold arithmetical estimate of that description. If I thought the organizing a government for California would put this Union in peril, I would forever withhold that government. If I thought the surrender of that territory was necessary to the preservation of our harmony or our fraternal feeling, I would give up that territory now and forever. But I can not

believe that all patriotic feeling is lost in the representatives of the people. That can not be. We have the manliness, the patriotism, the wisdom to construct a government, I am sure, which will concede something on all sides, and leave us all far better off, because we shall have disposed of these disturbing questions, and henceforth we shall better understand each other.

I see my time is rapidly drawing to a close. I have endeavored to exhibit this scheme as clearly as possible. I know that in the short time allotted to me I can not do it justice. But I believe it possesses great merits. I think it ought to be seriously considered. I do not pretend to say what bill I shall vote for if mine is rejected, or whether I shall vote for any; but I do say I never will consent to any enactment on the part of this body, if I can prevent it, which makes that portion of the Union which I in part represent in any manner less in dignity, less in glory, or less in co-ordinate sovereignty than other portions.

LET THE UNION STAND, AND STAND, IF IT MAY BE, FOREVER. I rejoice to hope it will. But, at the same time, I desire to see harmony prevail among the several states of the Union—harmony like that which reigns in the spheres. If we must rival each other, let us differ from each other as one star differeth from another star in glory; and let us be held together in our mighty sweep through the vast orbit we are filling, not by a binding girdle of iron, but by the indestructible power of universal attraction.

SLAVERY AND THE UNION.

REMARKS IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
DECEMBER 12th, 1849.

Mr. Hilliard said :

THE gentleman from Massachusetts (Mr. Allen), who has just resumed his seat, affects to disregard the declarations which several gentlemen have made to-day in this hall in relation to the perilous condition to which the government is now brought, on the ground that they have spoken under the influence of passion; and he treats this impressive occasion with unbecoming levity, in likening the irrepressible burst of feeling which has more than once interrupted the course of this debate, to the contrived applause which brought one of Oliver Goldsmith's earliest plays into notice. A calmer man never addressed him than the one who now rises to speak upon this great topic which has so unexpectedly been brought up for discussion, and I say to him and to this whole House that the *union of these states is in great peril*. It has been precipitated into this condition by an utter oblivion, on the part of gentlemen representing the non-slaveholding states, of the feeling and purpose of the people of the southern portion of this confederacy, in regard to the threatened encroachments on their rights. I have never known, throughout the entire southern country, so settled and deep a feeling upon the subject to which I have referred—the at-

tempt to exclude slavery from the territories of the United States—as now exists there. And I solemnly declare, speaking from a thorough acquaintance with that people—a people among whom I was born and have been brought up, that if this legislation is to be persisted in, THIS UNION CAN NOT STAND. The gentleman (Mr. Allen) says that the Union is in no danger; that the gentlemen who have announced its dangers could not even remove one of the marble columns which support this hall; yet I would remind him that the hand of a child may fling a torch into a temple which will reduce the magnificent structure to ashes. He and his associates are heaping combustible materials against the lofty columns of this Union which the hand of a child may at any time fire. It is time for every true friend of the Union to speak out; if it is to be rescued from the perils which invest it, it must be done by a manly, truthful, bold declaration of the sentiments of the Southern people.

I employ no threatening language. I know too well what is due to others, from what I feel to be due to myself, to use any other language than such as I desire others to use toward myself. I address gentlemen who can comprehend elevated considerations, and who will act under the promptings of patriotic sentiments at this solemn conjuncture. In speaking for the people who have once more honored me with their confidence in sending me here to represent them, I feel it to be my duty to say that, while they cherish a profound attachment to the Union, they will never submit to any legislation which places their state in an inferior relation to the other states

of this great confederacy. They will never hesitate when the choice comes to be made between danger and dishonor. They would regard a dissolution of the Union as a calamity—a calamity too great to be estimated; but they would esteem submission to legislation which at once deprives them of their rights and degrades them as a still greater calamity. For my own part, I have never admired a phrase which has become somewhat current, that “we shall be compelled to calculate the value of the Union.”

The value of the Union which binds these states together is incalculable; its priceless value defies all the ordinary methods of computation; it is consecrated by battles, and triumphs, and glories which belong to the past; it embraces a people of kindred blood scattered throughout these states, speaking the same language, and holding the same religious faith; it secures to us innumerable blessings; it looks forward to a future still more prosperous and more glorious than the past. But, though all this be so, it may be destroyed, and will be, unless the measures which some gentlemen in this hall seem so resolute to press are at once arrested. A brave, generous, high-spirited people, who comprehend their rights, and who know how important it is for free states to resist the first encroachment of tyranny, in whatever shape it may come, will, under the pressure of a great necessity, break off an alliance which employs the machinery of a common government against them without pausing to cast up its value. The Union is a government of consent, not of force. When the soul of the Union is fled, how can it longer survive?

When the fraternal affection which holds us together in willing association is destroyed, what girdle can be thrown around these states strong enough to bind them? It is of no avail that you point to a future of convulsion and blood which lies beyond the hour of our separation. Any thing is to be preferred to an ignominious submission to tyranny — tyranny which revels in the mere wantonness of its strength. Men resign life rather than submit to that which robs life of its value. I appeal to the friends of the Union. I may well avow myself to be one of them. In the canvass through which I passed last summer, I bore in my hand that banner which the gentleman from Virginia (Mr. McDowell) described in that eloquent speech by which we were all so much moved at the last session. I bore that great banner in triumph. I spoke for the Union. I urged upon the generous people who gathered about me, and heard me, forbearance. I insisted that we should trust to the forms of the government for protection until we found them insufficient barriers. I vindicated the people of the Northern States, and did not hesitate to declare that it was my belief the unjust legislation in regard to the government of the territories of the United States, which had been threatened, and against which they were so indignant, would never be consummated. Now, then, gentlemen, I appeal to you; I call on you for forbearance, and I solemnly declare to you that it rests with you to save the government from the perils which surround it. Upon you will rest the responsibility of settling this great question. The people of these states, the civilized world, and

the God of the universe will hold you responsible for the consequences. It is in your power to restore harmony to our system—to turn the government from the dangers upon which it is driving; and you can do it without a single sacrifice. The Wilmot Proviso, as it is styled by those who claim to represent that measure on this floor—the Wilmot Proviso, which seeks to exclude the citizens of the slaveholding states from California and New Mexico, has not a single principle to recommend it. It rests neither upon generosity, nor justice, nor constitutional law, and it asserts a doctrine which would not be tolerated for a single moment, if applied to the ordinary transactions of life, in any part of the civilized world.

Mr. Schenck here interposed to give his views of the Wilmot Proviso, disclaiming that name for it, and asserting that it was the ordinance of 1787 which was intended to be applied to the territories of the United States.

Mr. Hilliard resumed his remarks, and said, What Virginia generously gave was subjected to the ordinance of 1787. I shall not now stop to speak of that ordinance; its authority was questioned by some of the ablest men of that day; but let it pass. The attempt to settle the Wilmot Proviso now on the basis of the ordinance of 1787 is a vain effort. The Wilmot Proviso is a selfish scheme, which proposes to seize upon and appropriate the entire territory acquired from Mexico by the common exertion, and common treasure, and, what is more, the common blood of the people of this whole country, for the

benefit of the non-slaveholding portion of this confederacy. The people of the Southern States, who bore their full share of the cost of the war, whether you regard the outlay of money or the still more precious expenditure of human life, are to be denied any participation in the fruits of the victory. Can you expect them to bear it? Would you not despise them if they did? You admit that there already exists an insuperable barrier against the introduction of slavery into those territories, and yet you insist upon excluding it by bringing the authority of this government—a government which ought to protect the rights of all its citizens alike—to provide for its exclusion by positive legislation. If you persist in this course, gentlemen, you must take the responsibility of all the consequences which grow out of it. A gentleman from North Carolina, now before me (Mr. Clingman), one of the most conservative who occupies a seat on this floor, has clearly stated, in his recent letter, the settled purpose of the whole Southern people in regard to this measure; and he added that no people had been known to prosper long after submitting to an unjust and degrading encroachment on their rights. We do not intend to furnish another illustration of that great political truth. Spare us, gentlemen, the necessity of choosing between submission to unjust and degrading encroachments on our rights, or a disruption of the ties which bind us together.

Let me remind you of the relations which we hold to this threatening question. Your policy is *aggressive*, ours is *defensive*. You seize the machinery of the

government and turn it against us. We ask you to forbear, and to leave us in the enjoyment of whatever rights we may possess. It is in your power to save the Union; it is in your power to destroy it. Carry out the measures with which you threaten us, and it will then be too late to save it. You can not keep down the elements which will heave beneath the government which to-day displays its glorious proportions to the world. The internal fires of the earth can not be kept down by the weight of the mountains which press them; they will flame up. Nor is there strength enough in this government to keep down the feeling which the consummation of the injustice you contemplate will arouse throughout the whole Southern country.

You have heard Virginia speak through her Legislature; Alabama has passed her resolutions in solemn form; and the voice of Mississippi comes up like the rush of her own great waters. I feel at liberty to speak out plainly. I have been charged with being too national—with cherishing so profound an attachment to the Union that I was ready to surrender the rights of the South to save it. I do not regret a single exertion which I have made in behalf of the Union. If I can now do any thing toward averting impending calamities, I shall gladly do it. But I can go no farther. If, having eyes, you refuse to see, and having ears, you refuse to hear—if you will not regard the remonstrances of a people now thoroughly roused by the unjust measures with which they are threatened, my mind is made up to stand with the people of that oppressed section of the Union

in resistance to your measures and your power. You have the majority, but the will of a majority can not disturb the great principles of the Constitution, nor can it interpret the Constitution. In our government we are protected against the tyranny of a popular majority—the worst of all tyrannies—by the provisions of the Constitution. When the power of the majority transcends the limits of the Constitution, it ceases to be law, and becomes usurpation.

Before resuming my seat, I desire to allude, if gentlemen will allow me, to what occurred in the preliminary meeting which nominated Mr. Winthrop for the speakership. [Cries of “Certainly, certainly”—“Go on.”] When I came to Washington, it was my purpose to vote for Mr. Winthrop for speaker. An accomplished gentleman, admirably fitted in every way to preside over a body like this, my personal friend, I could not hesitate to vote for him. When, however, in the meeting to which I have referred, a resolution was brought forward which was intended as the basis of an understanding in regard to our action upon the dangerous question of which I have just been speaking, and when I found that we could agree upon nothing at that time, I saw the difficulties of my position. I did not expect the resolution to pass, but I did hope that a free conference would follow, in which we might come to some good understanding. Failing in this, I withheld my vote for some days from my friend (Mr. Winthrop), and I know that this was felt far more by me than it could be by him. In the mean while, having conversed freely with several leading gentlemen from the non-slave-

holding states in regard to the slavery question, I found, on their part, a better disposition toward the Southern States and their rights than I had ever observed before. I felt, too, that the House ought to be organized ; and it seemed to me that it was in every way important to secure a speaker friendly to the administration. The administration ought to be able to bring its measures fairly before the country, and this it could not do with a speaker and with committees hostile to its policy. I did not doubt that when its measures were fairly presented to the country, the people would sustain the administration, for I believe that its measures are characterized by honesty and by ability. In the hope, then, that the dangerous legislation in reference to slavery would not be pressed, and that the influence of the Southern Whig members over that legislation would be far greater by associating with than by drawing off from our Northern friends, I determined to aid in the election of our candidate for speaker.

Now, gentlemen, I have spoken out freely what I felt it to be my duty to say. We must look the dangers which threaten us in the face. The Union must be saved. Do not suffer men, whose vocation it is to agitate dangerous questions, to drive you upon fatal measures. There is patriotism enough, and there is firmness enough, to arrest the evils which threaten us. I repeat what I have said—those of us who sit with you as representatives from the Southern States on this side of the chamber, can go no farther.

The people of the State of Alabama look to this Congress with the deepest interest. They will hail

with joy the triumph of a patriotic and magnanimous policy ; but if other counsels prevail, and your legislation should be so misguided as to deprive them of rights which they hold dear, they will, I believe, throw off the authority of a government which has ceased to answer the ends for which it was created.

I still hope that the cloud which hangs so darkly above us at this moment will pass away, and that our country will go forward in its glorious career, enjoying the highest internal prosperity, and giving to the world the noblest example that has ever been furnished of liberty and order, of strength and tranquility.

ADMISSION OF CALIFORNIA.—PRESIDENT TAYLOR'S POLICY.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, FEBRUARY 14th, 1850.

The House being in Committee of the Whole on the State of the Union, Mr. Boyd, of Kentucky, in the chair, Mr. Hilliard addressed the committee as follows :

MR. CHAIRMAN,—I rise, sir, to discuss the recommendations of the President in relation to the government of the territory acquired from Mexico by the treaty of Guadalupe Hidalgo. His views are expressed with great frankness and directness, and they ought to be treated by us in the same spirit. That the course which the President has thought proper to pursue toward the inhabitants of that extensive and distant territory has been adopted under a sense of duty, and that his recommendations to Congress respecting the future political condition of its people are prompted by patriotic motives, no one can doubt, however widely some may find it necessary to dissent from the policy which he advises. It is his desire, to use his own language, “to afford to the wisdom and patriotism of Congress the opportunity of avoiding bitter and angry dissensions among the people of the United States.” He informs us that the people of that part of California which lies on the Pacific have formed a plan of a State Constitution, and will soon apply for admission as a state;

and he recommends that they shall be received, if their proposed Constitution, when submitted to Congress, shall be found to be in compliance with the requisitions of the Constitution of the United States. He further recommends that Congress shall forbear to establish any government over that part of the territory which lies eastward of the new state of California, or over New Mexico, leaving to the people the privilege of governing themselves in the mean while as they may deem best, and trusting the great question which now excites such painful sensations in the country to the silent effect of causes which will settle it, independent of the action of Congress.

This is the policy which the President recommends to us, and he invokes in its support the wisdom and patriotism of Congress. Never at any time have these qualities been in higher demand than they are at this moment; never has a parliamentary body had greater interests confided to it than those which to-day engage us; never have men acting for their country been appealed to by nobler considerations than those which address themselves to the Congress of the United States. Sir, I have bestowed upon this great question the most earnest reflection; I have studied it thoroughly and with the most sincere respect for the motives of the President and the best wishes for the success of his administration. I find it impossible to give my support to the policy which he recommends. I shall discuss that policy with perfect freedom. I hope that the friends of the President will ever merit the tribute paid by Tacitus to the Britons, "*Ut parcant non-dum ut serviant.*" They

know how to respect power, but they do not know how to serve.

The plan recommended by the President leaves the great question which now excites such angry dissensions throughout the country open, at least so far as the territory embraced within the boundary claimed by New Mexico and Deseret is concerned. I desire to settle the question—not a part of the question, but the whole question—and to settle it completely. A partial settlement would leave the great controversy still open; the agitation would go on, and would prove fatal alike to the tranquil action of the government and to the interests of the Southern States.

The state of the country demands that the subject should be disposed of by an adjustment so complete as to insure repose. Never, since the moment when the government was established, has it been exposed to dangers such as now threaten it. In that great contest which grew up from the application of Missouri to enter the Union, and from the attempt which was then made to impose on her a restriction affecting her domestic institutions, Mr. Jefferson wrote to a friend that he regarded it as the most momentous question which had ever threatened the Union; and that, in the darkest hour of the Revolutionary struggle, he had never felt such apprehensions as then oppressed him. The aspect of affairs is darker to-day than it was in the gloomiest hour of that contest. The whole strength of the North is put in array against the South, and it is announced as their settled policy that slavery shall be confined to the limits which it now occupies in the United States. The

North—the populous, teeming, powerful North—confident in its strength, forgetting the early struggle through which it passed in common with the South, forgetting the spirit which animated those who formed the Constitution—a spirit which existed when the South was the stronger and the North the weaker party—the North, planting itself upon what it calls a great principle, announces its purpose to limit slavery henceforth and forever; to deny the South any share of the lately-acquired territory, or in the acquisitions which the government of the United States may hereafter make, whether by purchase, by conquest, or by any other mode of annexation. A spirit equally determined prevails at the South; throughout that entire region there exists a single purpose in regard to this threatened aggression, and that is to resist it to the last.

At this moment, then, sir, when the North and the South thus confront each other—when the danger of collision is so great that men scarcely know how long it can be averted—when one of the most experienced statesmen of the country, whose long and brilliant career, affording him the opportunity of taking part in all the great affairs of the government for more than a quarter of a century, declared but the other day, in the senate chamber, that he rose every morning expecting to hear of some public disaster growing out of this alarming question—at this moment, sir, we are admonished by our regard for the welfare of the people of the United States to settle the question promptly, decidedly, and completely.

To admit California, and to leave New Mexico and

the country now known as Deseret without agreeing upon their forms of government, would merely shift the ground of the controversy. It could not end it. Slavery, excluded from California by the Constitution of that state, would leave no field for any further exertion on the part of its enemies, but they would enter upon the task of excluding it from the remaining Territories with a zeal quickened by their late success. The President, in recommending delay, supposed that the softening influence of time would operate favorably on the question, by restoring harmony to our councils, and reviving a patriotic spirit throughout the country; while I can see no prospect of repose but in a prompt and complete adjustment of the source of our dissensions.

If, sir, the tranquillity of the country demands a settlement of this alarming question, it is equally demanded by the interest of the slaveholding states. If we should admit California into the Union as a state, with the boundaries now claimed by its inhabitants, without receiving guarantees for the protection of our rights in other portions of the territories belonging to us, we should transfer the sceptre of political power at once and forever into the hands of the enemies of our institutions, and the slaveholding states would enter upon a fixed, dreary, hopeless minority, in the face of a growing aggression which threatens our very existence. To-day we hold a balance in the Senate of the United States, but the entrance of another non-slaveholding state into the Union would turn that balance against us. We shall never be stronger than we are to-day. So far as we can read the future, we

must expect the disproportion against us to grow. To-day, then, it is our duty to ascertain and fix the future policy of this government.

The time is come when the slaveholding states must throw up barriers against all future aggressions, unless they are ready to surrender all weight in the confederacy of which they form a part, and tamely submit to any policy which an overwhelming majority may impose upon them. The time is come not only to resist the measures which now threaten them, but to demand guarantees for their future protection. I repeat it, sir, we shall never be stronger than we are to-day, and we must therefore settle to-day the interests of the great future which is opening before us. We are strong enough now to repel the aggressions which threaten us, and to secure ample protection for our future safety if we have the spirit to press our demands.

If I required any thing to remind me of my duty to the people I represent in this crisis, it would be found in the letter of the honorable gentleman from New York (Mr. Duer), who sits near me, lately addressed to the editor of an influential journal published at the capital of his state. That letter discloses the whole policy of the movement against the interests of the Southern States; it insists that the aim of those who seek to exclude slavery from Deseret and New Mexico may be accomplished with perfect certainty by the admission of California into the Union at this time. It advises delay as to the Territories, but it is merely delay. The honorable gentleman does not conceal his purpose, but, with a frankness

which is creditable to him, he undertakes to persuade the impatient advocates of the Wilmot Proviso that the true mode of accomplishing their object is to welcome California into the Union now, with her Constitution excluding slavery, and to deal with the Territories hereafter. Sir, nothing can be wiser than this; the conception is an admirable one; the great Frederick, nor the still greater Napoleon, neither of these successful commanders could have projected a more skillful plan for the campaign. The gentleman comprehends that the question, as an entire question, is too formidable to be disposed of at once. In overrunning the territories which he would secure for Northern dominion, he would take California first, and then throw his force into the remaining portions of the territory.

For one, sir, I am for offering battle at once. I am for staking every thing upon a single field. We shall never be in better condition for contesting it than we are now. And if we are hereafter to struggle for a foothold in Deseret and New Mexico, I prefer to struggle for ascendancy in California too, that we may bear our institutions with us to the Pacific coast.

It is due, sir, to the President to say, that, in recommending the admittance of California, and the withholding governments from the remaining portions of the territory, he believed that the tranquillity of the country would be preserved, and that the interests of the Southern States would be secured. Recognizing the great popular right of self-government in the inhabitants of the Territories, and believing that the very large increase of American population in

California entitled it to admission as a state, he recommended the policy to which I have adverted; but, sir, it is apparent that the North will adopt only one part of the President's policy. They will consent to sustain his recommendations as to California, but they advertise us, in unmistakable terms, that they go with him no farther.

I shall then insist, sir, upon an immediate and complete settlement of this whole question, and I earnestly trust that the people of the whole Southern country will insist on it; that they will hold the position they have taken; and that, merging every other question in this, forgetting all differences, they will come up in this great struggle with the compactness of a Grecian phalanx and the resistless tread of a Roman legion.

Before entering upon the consideration of the proper mode of settling this controversy, I shall examine the relations which the North and the South respectively hold to it. And here I desire to say that I shall not consent to argue this as a moral question; this is no place for such discussions; the question is purely a political one. This government was not established to regulate moral questions, but to protect political rights. Nor shall I appeal to the benevolent disposition of gentlemen to regard with favor the exposed condition of our population.

This government has no power to interfere with our internal affairs. We feel no apprehension as to intestine commotions. We invoke in our behalf no sentiments but those which ought to animate the equal representatives of a free and a kindred people.

We insist upon a great political right, resting upon broad constitutional grounds. That we shall maintain the right at whatever cost, I do not doubt.

The very question which now occupies us was before the Convention which framed the Constitution. It engaged the attention of that great body of wise and patriotic men. It was debated; it was referred to committees; it was the subject of long and anxious sittings. And when it came to be disposed of, the extreme views of neither party prevailed, but a perfectly definite arrangement was entered into, and, that it might be perpetuated, it was wrought into the very body of the Constitution.

A great mind of our own times, the expiring gleams of which were seen in this hall—a mind whose sympathies were all with the enemies of slavery, admitted that the slaveholding lords of the South, as he styled them, demanded and secured three provisions for their benefit as conditions upon which they assented to the Constitution: the apportionment of representatives so as to include slaves in the estimate of population, the privilege of importing slaves for twenty years, and the stipulation to deliver up fugitives from labor.

It will be observed, sir, that no power was asserted by the Convention over slavery; they did not undertake to control it; on the contrary, the slaveholding states then asserted, as they now assert, that the right to hold slaves was independent of the Constitution. It is true, there were provisions for the protection of the enjoyment of this right, the guarantee to suppress insurrection, and the stipulations to re-

store fugitives from labor; but the first of these is a power never likely to be invoked, and the second, although it was adopted without a single dissenting voice, is to-day habitually disregarded.

The power to regulate imposts was given to Congress, and, lest that power should be exerted to arrest the importation of slaves, it was restricted in its application to that traffic until the year 1808. Is it not clear that, but for these provisions of the Constitution—provisions inserted to secure an increase of slaves to protect that property, and to enable the Southern States to maintain their balance in the confederacy—they never would have come into the Union? Turn to the debates in Convention, and you will find spread upon their pages ample proof of the determination of these states never to consent to the creation of a government that did not contain the most explicit provisions for the protection of their property, then and thereafter. The pages of the *Federalist* afford the most unmistakable evidence of the same fact. Alexander Hamilton, in advocating the adoption of the Constitution before the State Convention of New York, stated that the provision enumerating three fifths of the slaves as the basis of representation was insisted upon resolutely by the Southern States, and that, but for this concession, they would have refused to come into the Union. In the great debate upon the admittance of Missouri, one of the ablest advocates of the restrictive measure which the North sought to impose upon that state (Mr. Sergeant, of Pennsylvania) made the important admission that the right of the slaveholding states to their

property is paramount to the Constitution itself; that there is no express grant in the Constitution for limiting slavery upon the admittance of new states; and that to preserve the balance of the states *then* and *thereafter*, the rule of three fifths was adopted.

Sir, let it be borne in mind that the balance between the Southern States, which were to continue slaveholding and planting states, and the Northern States, was to be preserved. We can not now consent to abandon the ground which we have held from the establishment of the government. Any policy which proposes now to lessen the security of our property—to shake the guarantees by which we enjoy it—to disturb the weight which we hold in the confederacy, will encounter, on our part, uncompromising opposition.

The great question was revived upon the application of Missouri to become a state of the Union. The territory out of which that state was formed had been acquired from France by the influence of the South. Under the Northern policy, Louisiana would never have been acquired; indeed, under the influence of Northern statesmen, a treaty was at one time nearly concluded, relinquishing the right to navigate the southern waters of the Mississippi. Mr. Pinckney, of South Carolina, with the aid of other statesmen who took the Southern view of the question—who comprehended the importance of bringing that extensive region under our dominion, and especially of securing the mouth of the Mississippi—undertook and carried out the great measure which acquired for us that magnificent accession to our wealth and our pow-

er. Yet, sir, when Missouri applied for admittance into the Union, the Northern statesmen demanded that the South should be excluded from all participation in the benefits of the acquisition which they had made, and they actually succeeded in subjecting the South to a compromise, or, rather, a capitulation, which limited slavery within the parallel of thirty-six degrees and a half north latitude in all the territory acquired from France.

That extensive region was at that time a slaveholding region; yet this limitation of slavery was demanded by the North, and the line of $36^{\circ} 30'$ was stretched across it, cutting off the South from a large share of the acquisition to which she had mainly contributed; and independent states, since formed out of territory which was at that time open to slavery, have entered the Union to throw their weight against the interest and the policy of the slaveholding states. Yes, sir, the North actually appropriated a large share of the territory which was acquired in the face of its policy; and to-day, when another aggression is attempted against the rights and the honor of the Southern States, when the people of those states threaten to resist the aggression, they are told that the mouth of the Mississippi shall be wrested from their dominion, and that its waters shall be ever free to the people of the North. The mouth of the Mississippi—acquired by the genius and the policy of Southern statesmen—the mouth of the Mississippi, emptying its tribute in a far southern latitude—the mouth of the Mississippi is to be held by the power of the North, even if these states should form themselves

into separate confederacies. I earnestly trust that the union of these states will never be broken up; that the aggressions which threaten to destroy it may be arrested, and that the mighty waves of the floods which dash against it may be stilled by the hand mightier than the waters; but if a course of continual wrong on the part of the North should drive the people of the Southern States into resistance; if, unhappily, this government shall be rent asunder, you may rest assured, sir, the mouth of the Mississippi will belong to the South.

Texas has been annexed to the United States; and one of the conditions of its admittance was, that in such states as might be formed out of its territory north of the Missouri Compromise line, slavery should be prohibited. There was a ready disposition to recognize this compromise line when it was to be applied to a slaveholding territory.

Such, sir, is the history of the controversy which grew up between the North and the South in regard to slavery from the establishment of the government up to the present moment. To-day we find ourselves once more confronted, and the relative attitude of the two sections is in perfect harmony with their past history. The North is still advancing with its aggressions, more imperious than it has ever been before, and the South, now thoroughly aroused to a sense of danger as well as of wrong, demands only an equitable participation in our recent acquisition. In turning to the history of our country, I look upon the course of the Southern States with the highest satisfaction. They have stood by the Constitution in the

noblest spirit; they have borne the pressure of the government; they have witnessed the steady decline of their commercial prosperity; they have seen their emporiums languish and their ships decay; yet, under all this adverse fortune, they have stood by the country; they have asked no legislation for their benefit; they have poured their wealth into your treasury; they have seen it scattered without stint in other parts of the confederacy; yet, with a patriotism unchilled by time and undiminished by wrong, they have stood by the country; they have sent their sons to fight your battles, and they have rejoiced in your prosperity. I may well say this; for, upon entering Congress in the winter of 1845, I found the government engaged in an angry discussion with Great Britain respecting Oregon, a remote northwestern territory, in which the South could have no possible interest beyond the common interest which we all feel in maintaining the rights and the honor of the nation. Yet I unhesitatingly expressed my determination to assert the claim of the United States, and to maintain it at whatever cost. Other Southern gentlemen did the same thing; and it is a fact, perhaps not generally known, that the bill raising men and providing supplies for the war with Mexico was originally intended to prepare the country for a contest with Great Britain.

What are our relations to-day? Having just emerged from a war with Mexico, in which the South bore its part well, to say no more, and having concluded a treaty of peace which leaves us in possession of an extensive territory overrun by our arms—

a territory stretching from about the thirty-second to the forty-second parallel of north latitude, it is now demanded by the North that the people of the slaveholding states shall be excluded from any share in the acquisition, unless they consent, in migrating thither, to abandon an important part of their property, and to change their whole habit of life. It is insisted by the Northern States that slavery shall be arrested—that it shall be extended no farther in any direction—that it is to be forever hedged within its present limits. This is your demand.

You are, sir, acting upon Clarkson's advice, who, not content with destroying the prosperity of the British West Indies, tendered his advice to the abolitionists of the United States. He wrote: "You must either separate yourselves from all political connection with the South, and make your own laws, or, if you do not choose such a separation, you must break up the political ascendancy which the Southern have for so long a time had over the Northern States." You demand that the equipoise heretofore established between the northern and southern portions of the Union shall be destroyed; that from this time forth there shall be, on the part of the slaveholding states, no participation in any of the acquisitions which this republic may make.

The whole action of the government henceforth is to be for your benefit; the fruits of our diplomacy, the triumphs of our arms, the outlay of our wealth, the progress of our power, all are to be yours, and we are to hold an inferior, dependent, abject relation to you. Either you denounce us as unworthy to as-

sociate with you as equal states because of the immorality of our institutions, or you seek to acquire over us a political advantage. We can submit neither to the one relation nor the other. If, with the spirit of the Pharisee, you lift up your hands, and thank God that you are better than we are; if, turning your backs upon a region cursed with slavery, you survey with complacency your better heritage, we may submit with some composure to the exhibition; but if, overlooking all evils at home—the crime, the wretchedness, the pauperism in your midst, you enter upon an itinerant search after moral disorders at a distance, compassing sea and land to bring the slaveholders of the South under the influence of your fatal philanthropy; if, not content with hurling your anathemas against us, you bring the power of this government to the aid of your schemes, we shall take measures to convince you of our fixed purpose to repel aggressions upon our political rights.

We, sir, have hitherto borne your assaults, your criticisms, your homilies—the tide of vulgar abuse, which has for half a century poured forth against us from declaimers, newspaper writers, and pamphleteers; we have even submitted to bear the insulting resolutions of the Legislatures of co-ordinate states; we have borne the agitation of the slavery question, when that very agitation is as clear, though not as gross, a violation of our right to hold slaves as to have them taken out of our possession; for it must be acknowledged that there is a mere difference of degree between having a right questioned and assaulted and having it wrested away; we have borne

the constant evasion of the constitutional provision to surrender fugitives from labor—all, all this we have borne; but your demand now to appropriate the entire territory acquired from Mexico at the close of a national war in which the whole country participated, the declaration of your fixed purpose to bind down the slaveholding states within their present limits, has aroused a spirit which you will find it no easy task to subdue. Survey, sir, the whole extent of that wide-spread region, beginning at the Potomac, which rolls its waters in our view, to the almost tropical plains of Southern Texas, and you will see signs which may well fix your attention; one spirit moves the entire mass of awakened and indignant freemen. You may almost hear the tones in which they announce their solemn purpose, not only to resist your threatened encroachments, but to demand guarantees for their future safety.

If it be your settled policy to deny the slaveholding states any participation in the territory now belonging to us, or hereafter to belong to us, then the time is come when the Southern States must decide a grave question—either to submit to a gradual but perfectly certain change in their organic structure, or to resist the threatened encroachment on their rights at every hazard.

It is no imaginary wrong of which we complain; it is a colossal, overshadowing evil against which we contend. Our honor and our existence are alike involved in the issue. The cause which threatens to disturb our peace and plunge us into convulsions may seem to you a slight one; but let me remind you that

slight causes have given rise to the fiercest and most desolating wars which history records. The plowing up a few acres of sacred soil plunged the states of Greece into a sanguinary conflict; an attempt to collect ship-money shook the empire of England, drove Hampden to the field, where he lost his life in one of the first battles ever fought for constitutional liberty, and brought the anointed head of a king to the block; while a tax of a few cents on a pound of tea drove the British colonies into a war which broke the dominion of the British government, and left them independent states. No, sir, it is no imaginary wrong of which we complain. Your act which excludes us from the territory of the United States decides a great principle against us; it involves the very existence of the Southern States.

If we submit, we have examples before our eyes of the condition to which we shall be reduced. Ireland—luxuriant, fertile, degraded, starving Ireland—is a picture of what we should be. With her representation in Parliament, she constitutes nominally a portion of the British empire, yet the policy of that empire degrades and ruins her. What battle has been fought of late years by British arms where Irish blood has not been freely spilled, and where Irish valor has not contributed to win the day? In all the bloody fields of the Peninsula, between the Pyrenees and the Alps, they bore the British ensign in triumph against the marshals of France, and at Waterloo they upheld it for Wellington against the magnificently stern array which Napoleon mustered in person. But what has this done for Ireland? When

her sons, unable longer to bear her degradation and her wretchedness, speak out for their country and denounce the power which oppresses and crushes her, they are torn from her bosom, and if they escape the scaffold, they are sent into banishment manacled with felons. To-day every Southern man walks erect, with conscious dignity; he surveys the whole country with patriotic pride; he sits in the council of the nation an equal among equals. He can never consent to be degraded from this position, to have the section from which he comes placed under the ban of the government, and to have the people whom he represents brought into an inferior relation to it. A resistance to the aggressions with which we are threatened can bring us no worse fate than this. If we could hope to escape the physical deterioration which would certainly follow a submission to the policy to which it is proposed to subject us, we should sink into a moral degradation far worse. The scholar who approaches Athens from the sea forgets her orators, her poets, and all the ruined glory of her once unrivaled architecture, and fixes his eye upon the tomb of Themistocles. In flinging a glance upon the sea and the land, every thing is forgotten but the battles of freedom which consecrated every spot the eye takes in. The illustrious people who once dwelt there, holding slaves as we do, maintained their national existence by preserving a spirit which resisted all attempts at invasion. The Southern States can maintain their position in the Union only by cultivating a spirit which makes their people stand ready to defend their equal claim to the benefits of the government against every assault.

In settling this great question, then, I shall insist upon a recognition of our right to a full participation in the late acquisition of territory. I do not care to measure exactly the extent of territory, and divide acres with precision, but the principle must be admitted, the great principle, that in the division of the property of the United States, and in the enjoyment of political rights, the people of the slaveholding states hold a perfect equality. As to the Wilmot Proviso, sir, I do not fear its application to the territory; the truth is, you have no right to adopt it, and no power to enforce it. But I should be unjust to the gentlemen from the non-slaveholding states if I did not express my gratification at the manly course of those who, a few days since, voted down the resolution which instructed a committee of this House to report a bill containing it. You profess to derive your power over the subject from the Constitution, and many of you rest it on the second clause of the third section of the fourth article, which declares, "That Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States;" but has it never occurred to you that the very same clause proceeds to declare, "And nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular state?" If you construe this restriction upon the power of Congress so as to make it apply to the interests of the states in the mere property of the United States or its proceeds, you must at the same time admit that the first part of the clause grants no

greater jurisdiction than the control of the property, and confers no political power. In other words, if you derive the power of Congress to govern the Territories from the clause we are now considering, you must take the latter part of the clause as a restriction upon the grant of power. It is much to be doubted whether you have the right to govern the Territories of the United States to any greater extent than to legislate for the benefit of the public property.

By referring to the debates in Convention upon the adoption of the Constitution, you will find that a proposition was brought forward to give Congress power to create governments for the people of the Territories of the United States; before the proposition came to be acted on, it was modified, and the clause to which I have referred is the provision to which the Convention agreed.

Mr. Pinckney, of South Carolina, in his speech upon the Missouri question, to which I have already referred, says, Certainly no power to legislate against the interest of any state, even before the Territories are admitted as states, was conferred by the Convention upon Congress. Mr. Pinckney, it will be remembered, was a member of the Convention, and he does not hesitate to give the opinion which I have stated.

I shall frankly declare, for myself, I prefer to settle this question by adopting the Missouri Compromise line in the sense in which it was originally applied to the territory acquired from France; it is a marked line; it has the force of precedent; a certain moral power attaches to it, and it is supposed to lim-

it the northern boundary beyond which the natural products which employ slave labor profitably can not pass.

Let that line be stretched to the Pacific, and let the stormy debates and the angry dissensions which now shake the government sink into the bosom of that broad ocean. This will give the North much the larger share of the territory, the whole acquisition being about five hundred and twenty-six thousand and seventy-eight square miles. The parallel of thirty-six degrees and a half, if stretched across it, would leave the North in possession of three hundred and thirty-seven thousand, three hundred and fifty-five square miles, and would leave the South one hundred and eighty-eight thousand, seven hundred and twenty-eight square miles, making an excess in favor of the North of about one hundred and fifty thousand square miles.

But I do not care for this. I wish to settle the question, and I wish to settle it upon such terms as will relieve the Southern States from the ban of the government, and secure a recognition of their rights.

When it was proposed last winter to admit California as a state, authorizing the inhabitants then there to form a Constitution with that object, I opposed it. I stood ready to recognize the right of the people to provide a government for themselves, but I was unwilling to subject the vast territory to the jurisdiction of the inhabitants then there. I believed it would result in the sacrifice of the substantial rights of the Southern people. A regiment raised in the interior of New York, for the express purpose

of colonizing California had been sent out by the late Secretary of War, and was disbanded there. I could not doubt their decision in regard to slavery. I was unwilling, too, that the new state should embrace within its limits the whole extent of the Pacific coast, and I insisted upon a plan of settlement which would allow the people of the slaveholding states the opportunity of colonizing that country.

I know, Mr. Chairman, that you, together with the present speaker of the House, and several other distinguished gentlemen on both sides of the chamber, did favor the bill which was brought forward by the present Secretary of the Navy, who was at that time a member of this House. Others planted themselves upon the ground assumed by General Cass, who thought it best to leave the people in the full enjoyment of the rights of self-government. I know that a great change has taken place in the numbers and character of the population now there; but I still insist, if California is to come into the Union, let the state be admitted with the Missouri Compromise line for its southern boundary, and let us settle the whole question upon that line, or let us have some other equivalent which recognizes the right of a slaveholding people to divide the territory, and to reside there in the enjoyment of their property. As to the fact that the people of the Territory of California have thought proper to adopt a state Constitution in advance of any preliminary action on the part of Congress, I do not regard that as a very serious obstacle. An act on our part now admitting the state would relate back to the original proceeding, and would le-

galize it. Such a course on our part would not be without late precedents in its favor.

As to the provision of the Constitution in respect to slavery, I suppose no one would desire to make that a subject of debate here, and least of all will any Southern man consent to let the question of the admittance of the state turn upon that point. The right of the people creating a state government to determine that question for themselves is perfectly clear, and, for one, I shall never consent to have it questioned.

And here, sir, allow me to say, that I have heard with profound regret the remarks which have been made by some gentlemen on this floor in regard to the course which the President has thought proper to pursue toward the inhabitants of California. His patriotism needs no vindication here; it is attested by a long career in the public service, and it has been illustrated upon hard-fought fields, where the great ensign of the republic floating above him caught new lustre from his achievements. Such assaults can not harm him. They are powerless; and it will yet be found that his hold upon the confidence and affection of his country can not be shaken. He thought it best to encourage the people of California to prepare a state government, but he did not for a moment attempt to interfere with the free exercise of the rights of the citizens in fixing the character of that government.

In deciding the great question which is before us, let party be forgotten, and let us remember our country. Let us settle this great controversy which to-day threatens to overthrow the noblest government

upon which the sun has ever shone. It is full of danger. Gentlemen may not be enabled to realize it, but the controversy is full of danger. It is stated in a late British magazine that the government of that powerful empire was, in April, 1848, in great danger of being overthrown; that if, out of the six thousand soldiers who at that time mustered in the metropolis, one half of the number had gone over to the people, the government would have gone down.

The events of an hour may destroy the noblest fabrics. The oak, through whose branches the tempest has swept for a century, yields up its strength to a single flash of the lightning. I desire, most earnestly desire, to save the Union. Those of us who contend for the rights of the South must not be charged with treason against it. We are the true friends of the Union, but we desire to maintain the government in its purity. We can not submit to the tranquillity which a despotism would impose. We hold that political truth is like revealed truth: let it first be "pure, then peaceable."

Deal with us justly; meet us in the spirit which animated the men who sat side by side in the Convention which established the Constitution under which we live; recognize us as a kindred people; admit our claims to a full participation in the benefits of a common government; legislate for this whole country as your country in all its amplitude, and you will find us ready to go on with you in the great future which opens before us, prepared to share your fortunes, for good or for evil, through all the vicissitudes which it may bring—"Animis, opibusque parati."

As we now stand, confronted in angry controversy, I am sure that I may say, while the people I represent will contribute every thing to maintain the government in its just and equal action, they will never submit to acts of oppression; they will give wealth and life itself to maintain your power and defend your honor, but, as one man, they will adopt the language of one of the most distinguished statesmen of South Carolina, no longer living, "Millions for defense, not a cent for tribute."

At the close of his remarks, Mr. Hilliard gave notice of his intention to offer an amendment to the resolution, proposing to refer that portion of the message relating to the Territories, so as to instruct the Committee on Territories to report a bill for the protection of the citizens of the United States in their property, of whatever description, in the territories acquired from Mexico by the treaty of Guadalupe Hidalgo.

EXPLANATION—PERSONAL AND POLITICAL.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, MARCH 7th, 1850.

Mr. Hilliard rose and said :

MR. CHAIRMAN,—The Methodist Episcopal Church, with which I have been connected since I attained manhood, devolves on certain of its members, engaged in the various pursuits of life, the duty of enforcing occasionally in public the religious truths held by that body of Christians. This duty has been devolved on me by that Church. I am not insensible to the criticism to which it subjects me ; but such are my convictions in regard to the duty, that I have no purpose of relinquishing it while I live. A sense of this religious obligation has restrained me on all occasions, in my intercourse with society, from any departure from the most perfect courtesy. Since my connection with the Congress of the United States, I have habitually forbore to trespass on the rights, or even the feelings, of any of its members. If on any occasion I had done so from inadvertence, I should, when reminded of it, have promptly repaired the wrong. My self-respect, as well as a sense of justice, dictated this course ; and that I have uniformly adhered to it, is well known to gentlemen with whom I have had the honor to serve on this floor for years past. I may safely appeal to gentlemen on both

sides of the chamber to sustain me in this statement.

On the other hand, I have at all times supposed that no gentleman would allow himself to allude in any offensive sense to my religious profession. There exists a strong disposition in vulgar minds to do this, but I believe that no one has so far violated the rules of decorum as to do so, with two exceptions.

A member from Pennsylvania, who addressed the committee some days since, felt himself at liberty to urge me to call on my illustrious friend, as he styled the President of the United States, and announce to him, in inspired language, his impending doom. He selected the very language which I was to utter in the ear of the President, "Accursed is the man-stealer;" and I was to add to this a solemn entreaty to him to abandon his slave property, if he desired to escape the divine wrath. I shall not offer a single remark in regard to the offensiveness of this language, in its application to the chief magistrate of the nation, or to myself as a member of this House, but shall leave it to that prompt condemnation which it will meet from every man who has any just sense of propriety.

The other exception to which I refer is the member from North Carolina, who spoke yesterday. That member thought proper to charge me, without a single provocation on my part, with "desecrating the Scriptures, by quotations from them urging the citizens of the United States to shed each other's blood;" and he proceeded farther to charge me with a design to break up this Union. These charges were gratu-

itously made. It was not my purpose to interfere with the member in the course of his speech. His very gross allusion to me drew from me an unpremeditated and indignant denial. Gross as the assault upon me was—none could be more so—I should have replied to it in less offensive language. A moment's reflection would have enabled me to do so, but my indignation was, for the moment, irrepressible. I pronounced it “false,” as it most certainly was. Still, sir, however little respect was due to the member who could bring against me such an atrocious charge, I ought to have checked an indignation which, however natural it is to feel under such an outrage, impelled me to make a harsher reply than I could have desired to make in a cooler moment. But, sir, it was an impulse which every generous man will at once understand and excuse.

In looking around this arena, Mr. Chairman, the member had a perfect right to select his adversary; but, however much the world may applaud the *discretion* with which the member exercised his right in singling me out, it will not be likely to award him an ovation for any success which he may win in the contest. He thought it proper—perhaps I should say *prudent*—to pass by all others, and to throw his gauntlet immediately at my feet as he entered the gladiatorial ring, at the moment in which he referred to me in a manner which almost every other member of the House but himself would have felt should shield me from assault. I repeat, sir, the world may applaud the member's discretion, whatever it may say of his manliness.

Now, sir, I deny that I have on any occasion employed the Scriptures for the purpose which the member charges on me. Indeed, I have never drawn upon them, as I remember, for any purpose whatever in the debates of this House. I have never sought to vindicate slavery by a single quotation from them. In my late speech, I expressly declined to argue the question affecting the rights of the people represented by me, in respect to slavery, on moral grounds, because the argument would admit the jurisdiction of the forum; and I urged none but political considerations in support of those rights.

Much less, sir, have I at any time sought to bring the authority of the sacred volume to the support of violent measures. I distinctly and emphatically repel the charge. Let my speech be examined, and it will be found that the charge of the member from North Carolina is without even the coloring of truth. It was, I am confident, hastily uttered. It proceeded from the unbalanced character of that member's mind, and his malignant disposition toward Southern members, who might be supposed ready to condemn his extraordinary course at this critical conjuncture. If I had thought proper to search the Scriptures for guidance at this time, I am quite sure that I should have found nothing in them to encourage an abandonment of duty by one who is intrusted by his constituents with the high functions of a representative, nor to favor a treasonable surrender, on his part, of the rights which he was chosen to uphold and defend. I am here as the representative of others. Their rights are committed to my keeping. Whatever I

may encounter, I shall vigorously and faithfully contend for those rights. I find nothing in human or divine teachings to encourage me to do otherwise. On the contrary, if I could shrink from their maintenance because of any apprehension of encountering opposition from the open enemies or false friends of those rights, I should incur the censure of the whole Christian and political world. In my late speech I made a single brief quotation from the Scriptures, the object of which could not be tortured to mean what the member has charged, but asserted what every one must admit to be true, that in a constitutional government, political truth, like revealed truth, must be open to the freest discussion—a right denied only by a despotic government, which enforces tranquillity by the crushing might of power, and formidable only to tyrants and to traitors.

The other charge brought by the member, in his heedless manner, as to my disposition to break up the Union, is also without any foundation in fact. It is an error into which he has fallen from the present temper of his mind, which inclines him to suspect every Southern man, who says a word in behalf of his section, of hostility to the Union. All such members he undertakes to arraign and censure.

I challenge him or any other member of this House to produce a single remark of mine which favors the scheme of disunion. No man living is more profoundly devoted to the Union than I am. We owe to it our prosperity, our power, and our glory. Its destruction would involve our own country in irretrievable ruin, and it would spread dismay through

the ranks of the friends of liberty in every part of the world.

So far from looking to its disruption as a remedy for political evils, I would put my life in peril, at any hour, to save it. To my vision it seems to be invested with dangers. I have pointed them out. I have appealed earnestly to the patriotism of this body to save the Union by a wise, just, and noble use of power. This would avert impending troubles, while it would insure for the whole country a glorious future. It would strengthen the Union. I claim to be as true a friend to the Union as the member from North Carolina. We differ in this: I stand with my people; he takes occasion, at this conjuncture, when his section is threatened by the overwhelming power of a majority, to approach the feet of power, and to give it whatever aid his abilities or his position may enable him to furnish. He spoke of the wrongs which his section has endured in terms which were listened to with satisfaction only by those who oppose the very rights which he was sent here to uphold and vindicate. His course of remark could hardly fail to fill Southern men with indignation, and even Northern men with contempt. He goes over the whole field of controversy, and can not find a single grievance of which the South has a right to complain—not even the disregard of the constitutional provision to surrender fugitives from labor, which Northern gentlemen themselves admit to be a wrong. He becomes, indeed, the champion of the majority; invites them to press their measures, and threatens his own people, if they resist, with the military power of the government.

However ready I may be, on all proper occasions, to do homage to the high qualities of the North, I can not, at a moment like this, when the whole strength of that powerful section of the Union is arrayed against the South, hesitate to take part with the people among whom Providence has cast my lot, in the great struggle through which they are now passing. Nor can I comprehend how any Southern man, acquainted with the history of his country, familiar with the wrongs to which the South has been subjected in regard to the question now before Congress, can for a moment forget or forsake the cause of that generous and gallant people. The nobler sympathies of our nature, in the absence of all the obligations of patriotism, should impel us to range ourselves on the side of the feeble against the strong. The course of the member from North Carolina seems to me to outrage both; it does violence alike to the nobler impulses of our nature and to the dictates of patriotism; and, whether it is considered in regard to me or to his country, it is not likely to be commended for its elevation, its generosity, or its manliness.

A gentleman from New York, who sits before me, I observe, intimates that he approves the course of the gentleman from North Carolina in coming to the aid of the North at this conjuncture, and says that the gentleman from North Carolina sees things through the same medium that he does. That is more than I have charged; for the gentleman from New York has, on every occasion when a question came up affecting the rights of the South, voted against the South. He

has, on every occasion, from first to last, voted for the Wilmot Proviso, and sustained Gott's resolution as to slavery in the District of Columbia.

These gentlemen, sir—the one coming from New York, and the other from North Carolina—sent here by constituencies so widely differing upon this question, see things through the same medium!

I thank the gentleman from New York for the timely remark. He admits the extraordinary position of the member from North Carolina, and he accounts for it by saying that they “see things through the same medium.” Such are the commendations which a Southern representative receives when he lends himself to carry out the objects of Northern power.

Sir, when *at home*, I did what I could to allay sectional feeling. I spoke for the Union. I pointed to its glorious ensign, floating in conscious pride over this broad continent, from the Atlantic to the Pacific, and borne by our adventurous seamen into all the waters of the globe. I urged the people who surrounded me, and to whom the wildest appeals were addressed by those who undertook to ride me down, to cherish a patriotic regard for the whole country; and I assured them that no act of aggression on their rights would be made by Congress, and that, if it were attempted, the act would be arrested by the President of their choice. But, sir, standing *here*, in the midst of the representatives of other states, I have felt it to be my duty to resist every measure which would be regarded by the people for whom I speak as an encroachment on their rights or their honor, and to urge

upon this great body, representing the whole country, the views which they entertain of a question which so deeply affects them. To have done otherwise would, in *my judgment*, have been a gross abandonment of duty—duty to my immediate constituents and to my whole country. While I have thus aimed to do my duty here faithfully and efficiently, I have, in my correspondence with those I represent, contributed what I could to encourage a sound sentiment at home—to repress rather than to excite dissatisfaction. I have stated my hope in the just action of Congress, and my confidence in the President. I have discouraged all movements toward effecting a sectional organization, believing that an occasion would not arise calling for any other means of redress than those which the forms of the government afford. In the early part of the session, when it was impossible to foresee what would be done, I joined my colleagues in addressing a letter to the governor, in the hope that the real sentiment of the people of Alabama would be uttered in firm and moderate resolutions on the part of the Legislature, and that the executive of the state would be empowered, in the event of a serious aggression being made by the government upon their rights, to bring the subject before the people themselves, to decide upon it as they alone have the right to do.

Such, sir, has been my course, adopted under a high sense of duty. My aim has been to maintain the rights of the people represented by me, and, at the same time, to avert from the Union every cause of trouble—so little do I deserve to be classed with

those who desire to break up the Union. God grant that it may outride every storm!

It is not to be denied that to those who represent a feeble section it must sometimes appear to be impracticable. Their constituents depend for their security upon a strict observance of the organic law. This they must insist upon. It may put them in conflict with a majority—their firmness may even threaten shocks to the system—but they must hold their position; for when they abandon it, they surrender the rights which they were appointed to guard to the unchecked dominion of power. This government, without the Constitution, would be an absolute despotism.

Those of us who have contended for the rights of the Southern people, and have demanded for them the protection of the government, may be denounced for a time; traitors may assail us; the surges will dash against us; but when the storm is gone by, and the great question now before us is settled, reason and truth will reassert their dominion, and will vindicate us against the charge of faction. It will then be seen how much we have contributed to restore the action of the government to its true course, and that determined resistance to aggression is the only effectual mode of maintaining conservative principles.

In our contests here, sir, this must be borne in mind. In the language of Edmund Burke, “something must be allowed to the spirit of liberty.” I shall do my duty; no considerations shall deter me from it—no reproaches can discourage—no threats can intimidate me. Harmony can only be maintained

throughout this wide-spread republic by a wise, patriotic, and noble use of power. The people in every part of it must feel that their rights are protected. To wield the power of the government either to enrich one section at the expense of another, or to destroy the securities which protect the property of every portion of the people, must give rise to dissatisfaction, and if the wrong be heavy enough, it will occasion angry and even fatal convulsions. The right of revolution resides in every people under heaven; and there are wrongs which will drive them to the exercise of it, unless they are already fit to be made slaves. No people who comprehend and love liberty will bear too heavy a pressure from power. *He who stands ready, as the representative of a free people, to surrender their rights to the demands of power, and to proclaim that no wrongs can drive them into resistance to their government, is already dead to the noble impulses which can alone preserve liberty.*

If, sir, this Union could be maintained by force—if it could exist after the whole power of the government came to be employed against the property of the people of one half of the states, what generous or right-minded man, come from what section he may, would not prefer to maintain it by a just exercise of the political functions which he holds—by a magnanimous forbearance in the use of strength, than by military power?

Sir, this Union can be perpetuated—not by force—not by bayonets, but by cherishing the spirit which gave it its existence, and by a rigid adherence to the Constitution. I take this occasion to say that I ask

for no amendment to the Constitution; let it stand; let it be observed in letter and in spirit. May it be perpetual! I do not desire to throw any additional obstacles in the way of a speedy settlement of the great question now pending. I earnestly desire to see it disposed of in a spirit which will inspire fresh confidence in the government, and give new strength to the Union.

The member from North Carolina, in his extraordinary speech yesterday, did not content himself with inviting us to accompany him to the tomb of Washington, whither we should all have gone as willing pilgrims, but he alluded to Jackson in such terms as to revive party animosities which have hardly yet had time to die out, and which, at this moment especially, ought not to be revived. He spoke of his exertions for the preservation of the Union, and of the menaces which, at a certain period of our country's history, he had uttered. He then passed to the President of the United States, and hoped that the same special Providence which had preserved the lives of the two illustrious men already alluded to, would keep him, and that he too might be able, in spite of all resistance, to save the Union. How would that gentleman wish him to preserve it? By military power? By the exercise of his great abilities as a military leader? Sir, I greatly misconceive the character of the President if he would not infinitely prefer to serve his country and to save the Union by employing pacific measures than by an appeal to arms. My confidence in the President is unlimited. Recognizing in him great qualities, which fitted

him, as I believed, for a faithful and efficient performance of executive trusts, I contributed what I could to secure his nomination at Philadelphia. I had the impression that the member from North Carolina was opposed to it. He now informs me that he was not, but aided to bring it about. I with pleasure accept his statement of the fact, and thank him—at least for that.

He says, however, that he was not in a Methodist church in that city. If he had sometimes visited such places, his morals and his manners would probably both be better than they are to-day. The remark only discloses the incurable proneness of the member to a line of conduct which must prove far more injurious to him than it can possibly be to others.

As my position puts it out of my power to appeal to the only considerations which seem to be potential in holding him to the observance of a decent demeanor, I must, of course, expect to hear from him the rudest remarks which his nature can suggest. No one will be at a loss to account for such a display of his spirit.

I was observing, sir, that my confidence in the President, so far from being diminished by a personal knowledge of him, has gained strength. I, too, look to him in this great crisis. The laurels which encircle his brow have been nobly earned; he does not desire to have them crimsoned with fraternal blood. History has already claimed his military achievements for the brightest pages in which she records great exploits. I earnestly hope that the influence

of his high station and his great character will, through all his future days, be thrown on the side of peace; that the evening of his life may be crowned with even more glorious trophies than war has yielded him; that his administration will be illustrated by an unswerving adherence to the Constitution—by a firm protection of the rights of the weak, whensoever they are threatened by the power of the strong; and that his country will hereafter rank him with her benefactors, less on account of the victories which he has won in the field, than for the triumphs which yet await him in a wise, just, and noble performance of the duties of the great office to which he has been called by the American people.

DEATH OF PRESIDENT TAYLOR.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, JULY 10th, 1850.

Mr. Hilliard rose and said,

MR. SPEAKER,—At the suggestion of those in whose judgment I have confidence, I rise to offer a humble tribute to the memory of the great man who has just fallen in our midst. If he were living, I should leave others to eulogize him; as he is dead, I choose to speak of him. And yet I am so overwhelmed by the event which has just occurred, that I can scarcely find language to express what I feel. Some events are so impressive that they leave little occasion for words—they are too great to be enlarged on. I am almost ready to follow the example of a great French orator, who, when called on to pronounce a funeral oration upon a deceased monarch, laid his hand upon the head of the dead king, and exclaimed, “There is nothing great but God.” Sir, there is nothing great but God.

General Taylor’s whole career illustrated the high qualities which so eminently distinguished him. I do not dwell upon his battle-fields—they belong to history, and they will find a place upon the brightest pages which record such exploits. Nor shall I speak of his courage—it is unnecessary; that is attested by hard-fought fields, and brilliant victories won under his eye against overwhelming numbers. But I wish

to speak of that high sense of duty which characterized his whole life—that steady purpose to do what he believed to be right, at all times and in all places. In the performance of duty, nothing could move him; he marched directly upon the road where that called him. The reference to this trait in his character has been appropriately made by the gentleman from Illinois (Mr. Baker), and it deserves to be observed and dwelt upon. To him, as fully as to any one I have ever known, may be applied the high eulogium of “*incorrupta fides*”—he kept his faith with all men. You might dissent from his opinions, you might find fault with his judgment, but, when he took his position, he kept it; his sense of duty sustained him, and opposition only served to make him the more steadfast in holding it.

It is said of Napoleon that the great quality which distinguished him, next to his genius, was his love of glory; so that when he marched his army into Egypt, the appeal which he made to them on the eve of battle was, “Soldiers, forty centuries look down upon you from these pyramids.”

General Taylor rather resembled Lord Nelson, who, when about to engage the enemy’s fleet, sent to his several officers in command of his ships the words, “England expects every man to do his *duty*.”

This was the constant aim of the illustrious man who has just been called away from us. This great quality, which sheds such lustre upon his name, gave him that success which so uniformly attended him. When about to engage in battle at Buena Vista with the overwhelming army opposed to him, he compre-

hended the danger which invested him, but he had made up his mind that it was his duty to stand there, and, in his own beautiful language, written before the engagement, "he looked to Providence for a good result."

General Taylor's character was American — distinctly and decidedly American. He was invited to quit the army and take the chief magistracy of the republic. He did so with unaffected reluctance, from a sincere distrust of his fitness for such a station. But as in the army he had obeyed every order of his government, he now obeyed the call of his countrymen, and, laying aside his plumed hat, his epaulets, and his sword, he entered upon the functions of his new and great position with an honest purpose to do his duty.

Unlike Cæsar, who repelled the proffered crown while he coveted it, he came with diffidence to the high position to which he had been called, and unostentatiously employed himself with its appropriate duties, his whole course evincing his profound sense of the value of constitutional liberty, and his manners illustrating the beautiful simplicity of his character.

Sir, this illustrious man is called away from us at a moment most critical. Never have I known the republic in such peril as now surrounds it. My friend from Massachusetts (Mr. Winthrop) has well said that it is so clearly an interposition of Providence, that he is ready to exclaim, "The chariots of Israel and the horsemen thereof."

Sir, I agree to this. It is an interposition of Prov-

idence, and it comes to us in a trying hour. But I am not dismayed. My trust in Providence is unshaken. Our country has been delivered, guided, made glorious by a good Providence. It will be so still. I remember, when the prophet referred to by the gentleman from Massachusetts (Mr. Winthrop) was surrounded by a hostile force, and all hope of escape seemed cut off, that a young man who was with him cried out in great fear, and the reply of the prophet was a prayer that the young man's eyes might be opened. He then saw that all within the hostile lines were "chariots and horsemen of fire," ready to succor and to deliver the beleaguered city. So will it be with us. The dangers which threaten us will be averted, and, I trust, forever disposed of.

The solemn event which has just occurred will arrest the angry current which has swept us on so fiercely. It imposes a truce, at least for a season, upon contending parties. In the mean while, a better feeling may spring up, and we may ask, "Why do we struggle with each other? Are we not brethren?" The nation will be impressed with the bereavement which it has suffered, and the tide of sorrow which sweeps throughout the country will admonish us to agree in wise, patriotic, and fraternal counsels. The very event which we deplore, and which we regard as a calamity, will be overruled for good; and He that sitteth on high, mightier than the water-floods, will put forth his power and cause a great calm.

Sir, death is at all times a solemn event; it touches both time and eternity; it terminates an earthly ex-

istence, it opens an immortal one. But this death will strike the world as an event marked by more than common solemnity. We mingle our tears over the bier of the chief magistrate of a great nation. We will honor his memory, and we will claim his fame for his whole country. Henceforth he belongs to his country, and his name is a part of our common inheritance. His last public act was in honor of the memory of Washington: he fixed his eyes upon that noble monument which is rising to the skies, built up by the present generation for one whom all call blessed. By this time he has, it may be hoped, met the revered Father of his Country in a world where their companionship will be eternal. His memory is safe—no human events can now affect it; the great qualities, the private virtues, the public services, all that is precious in his memory, has received the seal of Death.

“The love where Death has set his seal,
Nor age can chill, nor rival steal,
Nor falsehood disavow.”

BOUNDARY OF TEXAS AND NEW MEXICO.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES, AUGUST 28th, 1850.

Mr. Hilliard said,

MR. SPEAKER,—I feel some reluctance in addressing the House at this time, but the profound anxiety with which I regard the state of the country impels me to speak. We present the extraordinary spectacle of a people prosperous beyond example, rapidly advancing in wealth and power, at peace with every nation on the globe, sending our products and the fruits of our industry of every description under the protection of our flag to all parts of the world, our ports crowded with emigrants flying from the oppression of European systems of government to seek a refuge and a home under our own free institutions, yet torn by internal dissensions which threaten to overthrow the republic.

I could not survey this scene with any other feeling than that of profound apprehension, if it were not for the reflection that we hold the subject of controversy completely within our control. The whole task of adjustment is confided to us. The subject so long discussed in the Senate has passed from that body; it is now before us; no other human tribunal can decide it; the responsibility, with all its weight,

rests upon us. We can give the country peace, or we can withhold it.

I intend, sir, at whatever hazard or sacrifice of a personal kind, to do my duty to the country, and to contribute what I can, consistently with my obligations as a representative, to the adjustment of the great questions which are before us. They are kindred questions; some of them may be said to be dependent on each other. They all grew out of the annexation of Texas.

The first of these questions in dignity and importance is that respecting the limits of the State of Texas. That state claims for her western boundary the Rio Grande del Norte, from its mouth to its source, and a line thence due north to the forty-second parallel of north latitude. Texas was a state of the Mexican republic; she took up arms against that government; threw off its authority; declared her independence, and established it triumphantly upon the field of SAN JACINTO. She proceeded to organize a permanent government, and declared her limits. Was she entitled to the territory which she claimed as an independent state? Was her title to the country lying on the Rio Grande, and which Mexico claimed adversely, and in part held by actual occupancy, good as against that republic?

This question depends upon the principle whether a state, after a successful revolution, is entitled to the territory embraced within her ancient boundaries, or whether it is to be confined to the limits within which she has actually established her jurisdiction by the sword.

The independence of Texas was recognized by the United States, by Great Britain, by France, and by Holland. The ancient limits of the new state stretched to the Rio Grande, from its mouth to El Paso. It at that time constituted a part of an extensive country, to all of which the name of Louisiana was applied. That province extended to the Rio Grande, and this was insisted upon by Mr. Monroe and by Mr. Pinckney in 1805, in the most emphatic terms. They argued the title of the United States to that district of territory, and maintained it. The claim had the sanction of Mr. Jefferson, who was at that time President, and of Mr. Madison, who was Secretary of State. Subsequently that part of the province of Louisiana known as Texas was ceded by the United States to Spain. Mexico, by a successful revolution, wrested the Spanish provinces from that power, and Texas became one of the states of the new republic.

By the revolution to which I have already adverted, she became an independent state, and declared her ancient boundaries, with the farther claim to the territory on the Upper Rio Grande. She was proceeding to bring the whole territory claimed by her under her jurisdiction at the period of her annexation to the United States.

There might be a difference of opinion as to the validity of the title of Texas to the territory bordering on the Rio Grande, but there is much in her history to sustain it. She was an independent state, and recognized as such by the great powers of the world. Mr. Webster, when Secretary of State in 1842,

in his characteristic style, marked with clearness and power, addressed an emphatic statement of the political condition of Texas to our minister then residing at the city of Mexico :

“From the time of the battle of San Jacinto, in April, 1836, to the present moment, Texas has exhibited the same external signs of national independence as Mexico herself, and with as much stability of government. Practically free and independent, acknowledged as a political sovereignty by the principal powers of the world, no hostile foot finding rest within her territory for six or seven years, and Mexico herself refraining for all that period from any attempt to re-establish her own authority over that territory,” &c., &c.

Such was Texas previous to her annexation to the United States, a free and independent state, sending and receiving diplomatic agents to and from other states, enjoying all the rights of a regular and well-established government, and embracing within the boundaries asserted by her all the territory which she now claims.

I proceed now to inquire into the validity of her title to this territory as one of the states of the Union. Whatever conclusion might be reached upon an investigation of her claim to the territory against the adverse claim of Mexico previous to her annexation to the United States, it seems to me that her title to this territory at this time is supported by considerations too powerful to be resisted. If there be any adverse title, it is in the United States, and I am confident that a statement of the argument in support

of the claim of Texas as against that set up for the United States, must bring all minds to which it is presented to an admission, however reluctantly made, of its validity and its strength.

The claim of Texas to all the territory now embraced within the limits fixed by her Constitution was well known to the government of the United States previous to the annexation of that state.

Mr. Vinton (Mr. Hilliard yielding the floor to him for explanation) stated that it had been several times asserted upon this floor that the boundaries of Texas were fixed in her Constitution, but that, upon examination, he had not been able to find them laid down in any Constitution formed by that state.

Mr. Hilliard resumed: It is not at all important, Mr. Speaker, so far as the argument is concerned, whether the boundaries of Texas were defined by her Constitution or not. They were certainly defined clearly by an act of her Legislature; and this solemn declaration of the title of Texas to the whole extent of the territory bordering on the Rio Grande del Norte, from its mouth to its source, continuing upon a line drawn thence to the forty-second parallel of latitude, was made known to the government of the United States when the measure of annexation was proposed to that state. That part of the territory lying on the Upper Rio Grande was certainly held at that time by Mexico, but Texas was asserting her title to it, and taking steps to bring it under her jurisdiction.

It was our policy to avoid a war with Mexico, and as this disputed boundary-line might lead to a col-

lision between Texas and that republic, and of course involve the United States in it, it was provided in the resolutions by which Texas was annexed to the Union, that the adjustment of all questions of boundary should be intrusted to the government of the United States. The precise language is this: "Said state to be formed, subject to the adjustment by this government of all questions of boundary that may arise with other governments."

The United States government then was made acquainted with the claim of Texas, and undertook to adjust it—not to relinquish it, not to negotiate that it might vest in itself, but to *adjust* it; which devolved upon our government the duty of enforcing the claim of Texas, and of urging it upon Mexico in good faith. At that time, no other construction than this was put upon the resolutions of annexation; they were clearly understood by the two contracting parties—the government of the United States and that of Texas—by Mexico, and by all the world. In pursuance of the resolutions, the President of the United States promptly opened communications with the government of Mexico, that republic having withdrawn its minister from Washington, and proposed to negotiate for the recognition of the Rio Grande del Norte as the western boundary of Texas. Mexico actually consented to receive a commissioner to negotiate for that object. Mr. Polk thought it proper to send an envoy extraordinary and minister plenipotentiary to the government of Mexico, with general powers. Mr. Slidell was selected to perform the delicate and important duties which his mission

involved. He proceeded to Vera Cruz, and was urged by the friends of the government then existing in Mexico to wait until its power was somewhat better consolidated before approaching the capital; he declined the counsel, inconsiderately hastened to the city of Mexico, and presented his credentials, which were rejected, on the ground that the relations between the United States and Mexico were not such as to render it proper that the ordinary diplomatic intercourse should be resumed between them, and that it was understood a special commissioner was to be accredited to the Mexican government, empowered to negotiate for the adjustment of questions growing out of the annexation of Texas.

What was the view taken at that time by our government of the claim of Texas to the Rio Grande as her boundary? The only part of the territory which the government of the United States thought Mexico could dispute with Texas was that bordering on the upper part of that stream, and embraced within the limits of the province of New Mexico; and that it undertook to secure for Texas. This will be made perfectly plain by looking into the instructions which Mr. Buchanan, then Secretary of State, gave to Mr. Slidell when about to enter upon his mission. It must be borne in mind that some of our citizens had claims on Mexico, which that republic had not found it convenient to discharge. The internal disorders from which it had suffered had impoverished it. These claims were for years pressed upon Mexico, and when Mr. Slidell was about to enter upon the task of negotiating with Mexico for the adjustment

of the dispute with Texas in regard to her boundary, he was instructed by Mr. Buchanan to bring them up for settlement. It was well known that Mexico was not able at that time to pay them, but it was for this precise reason that Mr. Slidell was to urge them. Mr. Buchanan says:

“The fact is too well known to the world that the Mexican government are not now in a condition to satisfy these claims by the payment of money. Unless the debt should be assumed by the government of the United States, the claimants can not receive what is justly their due. Fortunately, the joint resolution of Congress, approved 1st March, 1845, ‘for annexing Texas to the United States,’ presents the means of satisfying these claims, in perfect consistency with the interests as well as the honor of both republics. It has reserved to this government the adjustment ‘of all questions of boundary that may arise with other governments.’ This question of boundary may therefore be adjusted in such a manner between the two republics as to cast the burden of debt due to American claimants on their own government, while it will do no injury to Mexico.”

Mr. Buchanan proceeded to inform Mr. Slidell that Texas declared the Rio del Norte, from its mouth to its source, to be a boundary of that republic, and stated that the right of Texas to that boundary as far up the stream as El Paso was not likely to be questioned seriously. His argument in support of that position is an able one. He admitted that the case in regard to New Mexico was different, and that Texas had never subjected that part of the territory

to her jurisdiction. What, then, was the view taken by the government of the United States of the claim of Texas to the territory lying on the Rio Grande? Clearly that, so far as the territory up to El Paso was concerned, it was too strong to be questioned, and that so much of it as was north of that point was subject to adjustment with Mexico. The title of Texas to that part of the territory was to be urged, and Mr. Slidell was instructed to offer to assume the payment of all the just claims of our citizens against Mexico, "should she agree that the line shall be established along the boundary defined by the act of Congress of Texas, approved December 19, 1836, to wit: beginning at the mouth of the Rio Grande, thence up the principal stream of said river to its source, thence due north to the forty-second degree of north latitude."

A debt already pronounced to be worthless was to be discharged, in consideration of a relinquishment by the party from whom it was due of a disputed claim to the territory within the declared limits of one of the United States. Mr. Slidell was instructed to offer the payment of five millions of dollars to Mexico, should she agree to transfer to the United States that part of New Mexico west of the Rio Grande; and one of the considerations which he was to present to Mexico, to induce her to consent to the sale of this province, was the fact that so much of it as was east of the river dividing it was already embraced within the limits declared by Texas. He was instructed to offer a still larger sum for Upper California.

Such, sir, was the view taken by the government of the United States of the title of Texas to the territory claimed by her at the date of her annexation, when that title was to be asserted and maintained against the adverse claim of Mexico. The title of Texas was asserted, and the government of the United States offered to that of Mexico a worthless debt due to our citizens for a worthless claim set up against one of the states.

Upon Mr. Slidell's rejection by the government of Mexico, what was then the course of our government? Was the title of Texas abandoned? Was it ever regarded as a doubtful title? So far from it, General Taylor proceeded, under orders from the government, to take possession of the territory between the Nueces and that stream; and selecting a position on the very bank of the Rio Grande—the extreme western line claimed by Texas—he threw up his works opposite Matamoras. That position was chosen with a view to the defense of the whole territory claimed by the state which we had taken under our protection, and it was occupied *as the soil of the United States*, because it was a part of Texas.

Mr. Ashmun (interrupting Mr. H.) held that these were the acts of but a single branch of the government—of the executive. Congress, he said, had solemnly refused to recognize the constitutionality of those acts.

Mr. Howard reminded the gentleman from Massachusetts that, in his orders to General Taylor, Secretary Marcy had directed him to take post on the Rio Grande, which was to be the western boundary of

Texas in case the annexation then pending took place.

Mr. Hilliard resumed. No, Mr. Speaker, the force of this clear recognition of the Rio Grande as the western boundary of Texas by the government of the United States can not be impaired in that way. Congress immediately voted supplies to enable General Taylor to hold his position, and that vote was a solemn recognition of the boundary asserted by Texas; otherwise, instead of voting supplies, the troops should have been instantly withdrawn to some point east of the Nueces. I do not vindicate the course of the President; his order should not have been given without the authority of Congress; but I insist that the subsequent action of Congress was an explicit recognition of the validity of the title of Texas to the full extent of the boundaries asserted by her. In fact, the action of every department of the government which has had any reference to the claim of Texas upon the territory embraced within the boundaries defined by the act of her Legislature, has recognized and affirmed that claim to its fullest extent.

The occupation of the country bordering on the Rio Grande was followed by a war with Mexico. Our troops held that country, overran and took possession of New Mexico and Upper California, and brought them under the flag of the United States as conquered provinces. By a series of brilliant victories, a complete ascendancy was obtained over Mexico, and a treaty of peace and of limits was at length concluded with that republic, leaving the United States in possession of every acre of the territory

claimed by Texas, and a large district of country besides, stretching to the Pacific Ocean. The adverse claim of Mexico to the territory east of the Rio Grande was extinguished, and, *eo instante*, the title of Texas covered it. The government of the United States is, in the language of the law, *estopped* from asserting any claim to that territory; its mouth is closed; it is forever concluded by its own admissions—by its own assertions—by its own acts. The only adverse title to that of Texas being abandoned, the title of that state to its whole territory is good against the world. The treaty of Guadalupe Hidalgo does not make any transfer of territory to the United States, but the boundaries between the two republics are defined; and while the limits of New Mexico are referred to as forming part of the new boundary, the reference is to the *southern* and *western* limits, no mention being made of the eastern boundary of that province. The map which accompanied the treaty shows, I believe, the territory of Texas marked out as asserted by her Legislature, and as recognized by the government of the United States.

How can the boundaries of that state be now questioned by the United States? Let us suppose that Mexico had accepted the offer which Mr. Slidell was empowered to make, and had withdrawn her claim to that part of New Mexico east of the Rio Grande, would not Texas have been invited by our government at once to extend her jurisdiction over that territory? Or if, upon the march of General Taylor to the Rio Grande, Mexico had declined war, and had abandoned all the territory claimed by her east of

that stream, would it have occurred to the government of the United States to question the right of Texas to take instant possession of the whole extent of it? No, sir; and if we had never acquired that part of the province of New Mexico which lies west of the Rio Grande, no one would have disputed the title of Texas to the fragment east of the river. Can the claim of Texas be affected by the acquisition of the western part of the province?

After the ratification of the treaty of Guadalupe Hidalgo, the President of the United States, in a message to the House of Representatives, admitted the right of Texas to take possession of the country which she claimed, in its fullest extent. He refers to the joint resolution of Congress annexing Texas to the United States, and the adjustment of questions of boundary for which it provides, and adds:

“Until the exchange of the ratifications of the late treaty, New Mexico never became an undisputed portion of the United States, and it would therefore have been premature to deliver over to Texas that portion of it on the east side of the Rio Grande to which she asserted a claim.

* * * * *

“Under the circumstances existing during the pendency of the war, and while the whole of New Mexico, as claimed by our enemy, was in our military occupation, I was not unmindful of the rights of Texas to that portion of it which she claimed to be within her limits.”

While the war with Mexico was in progress, the Governor of Texas demanded of the government of

the United States an explanation of the reasons for organizing a government at Santa Fé; and the Secretary of War, under instructions from the President, replied that the government was a temporary one, and would cease upon the conclusion of a treaty of peace with Mexico. "Nothing," he adds, "therefore, can be more certain than that this temporary government, resulting from necessity, can never injuriously affect the right which the President believes to be justly asserted by Texas to the whole territory on this side of the Rio Grande whenever the Mexican claim to it shall have been extinguished by treaty."

During the progress of the war, while Texas, in common with the other states, was contributing her part toward achieving the victories which resulted in the acquisition of the immense territory ceded to us by Mexico, she was assured that her title to the whole extent of the Rio Grande was recognized, and that no occupation of it by the military forces of the United States could injuriously affect it.

Now, sir, I insist that the title of Texas to the whole of the country claimed by her is perfect, and that the government of the United States ought promptly to declare it to be so, and to invite that state either to extend its jurisdiction over it, or to accept some satisfactory boundary, with ample compensation for the relinquishment of her right to the territory which she consents to give up. The claim of Texas is resisted upon two grounds. Some insist that her title to the territory bordering on the Rio Grande vests in the United States, while others set up a claim for New Mexico, and object to any divi-

sion of that province upon the ground that the government is bound by the terms of the treaty to admit it as a state into the Union.

I trust that I have already satisfactorily shown that the government of the United States could not acquire the title to the territory in dispute; it set up no claim of its own; it undertook to assert that of Texas; it extinguished the adverse claim of Mexico, the only adverse claim in existence, and by that means perfected the title of Texas. To allow the government now to assert its own title would be a violation of every principle of equity, which no judicial tribunal could sanction, and would be a flagrant breach of good faith, which the universal sentiment of mankind would condemn.

As to New Mexico, it is not to be regarded as a political community, or an *entity*, as Carlyle would express it, but as so much territory belonging to the United States, except that part of it which is included within the limits of Texas. We may construct a government for it, and embrace the whole territory west of the Rio Grande in it, or we may divide it, as we think best.

The treaty does not guarantee to the inhabitants a separate existence as a political community. Its language is, "The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of

all the rights of citizens of the United States, according to the principles of the Constitution, and, in the mean time, shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction."

The territories referred to in this article, the ninth, are those which previously belonged to Mexico, and the inhabitants are to enjoy certain rights instantly—such as the right of liberty, of property, and of religion; and subsequently, when Congress shall judge it to be proper, they are to have conferred on them the privileges of American citizens by being incorporated into the Union. How incorporated into the Union? As separate states? The treaty is silent as to states—it speaks of inhabitants, of individuals. To contend that the provinces, or, in other words, the territories previously belonging to Mexico, are to be admitted as states, and that reference is to be had to their former boundaries, is a gross misconstruction of the treaty: it would, if accepted and acted on, put it out of our power to limit the boundaries of Upper California to smaller dimensions than it heretofore possessed. The treaty simply guarantees to the inhabitants of the territories acquired from Mexico the privilege of American citizenship. This privilege might have been denied to them by the government of the United States if there had not been an explicit stipulation to that effect in the treaty, and they might have been kept perpetually under the same absolute form of rule to which they are now subjected by the neglect of Congress to provide a better system for them.

Story, in his work on the Constitution, says:

“In cases of confirmation or cession by treaty, the acquisition becomes firm and stable, and the ceded territory becomes a part of the nation to which it is annexed, either on terms stipulated in the treaty, or on such as its new master shall impose. The relations of the inhabitants with each other do not change, but their relations with their former sovereign are dissolved, and new relations are created between them and their new sovereign. If the treaty stipulates that they shall enjoy the privileges, rights, and immunities of citizens of the States, the treaty, as a part of the law of the land, becomes obligatory in these respects. Whether the same effects would result from the mere fact of their becoming inhabitants and citizens by the cession, without any express stipulation, may deserve inquiry, if the question should ever occur.”

It was to secure the rights of citizens of the United States to the inhabitants of the territories acquired from Mexico, and who should become permanent residents within them, that the ninth article of the treaty was inserted; for, without that article, the inhabitants, cut off from their own country, might never, after their transfer to another sovereignty, enjoy the rights and immunities of citizenship. This is all that the government of the United States, in the treaty, undertakes to do; it must protect the inhabitants in the enjoyment of the privileges enumerated until they rise to the higher dignity of citizens, by being incorporated into some state of the Union. That would, *ipso facto*, make them citizens of the United States.

and, so far from being a violation of the treaty, it would be an explicit compliance with its terms. So far, then, as that objection to extending the jurisdiction of Texas over the territory which at one time constituted a part of New Mexico is concerned, it is disposed of. The obligation upon Congress to recognize and respect the title of that state to the whole extent of the territory claimed by her, seems to me to be clear and imperative. Yet I am aware that many persons think of that title very differently; they question it, and insist that the state should be turned over to the Supreme Court for a decision upon her claim to the Rio Grande as her western boundary.

Some, indeed, go so far as to deny that Texas has even the color of title to any part of the territory beyond the Nueces; and, in reply to her earnest demand that her jurisdiction shall be acknowledged over her own soil, they urge that arms shall be employed to resist her attempt to enforce it.

Mr. Speaker, Texas ought to be dealt with generously. So far from meriting the reproaches with which she is sometimes loaded, she ought to receive a cordial welcome into the family of American states. By her own gallantry she originated and carried through successfully a revolution against the government of Mexico, when that republic overthrew the Constitution which was framed for the protection of the liberties of her people. Alone, with a sparse population, with slender means, with no regular troops, that state formed the heroic purpose of achieving its independence, and it accomplished it. The field of San Jacinto takes rank with other plains upon which

tyranny has been cloven down, and the flag of freedom has been unfurled. That flag, spread to the breeze by the brave men who struck for liberty under it, with a single star glittering upon its folds, was never lowered; it was kept flying until the eyes of the civilized world caught sight of it, and hailed it as the ensign of an independent state, and the great powers of the globe sent their ambassadors to welcome her into the family of nations. She appealed to us to receive her, and we rejected her. She was still threatened with the power of the government from which she had revolted. She turned naturally to us for succor, for defense; we did not extend it. We acknowledged her independence—so did the sovereigns of Europe.

In the course of years, when the state had grown strong, and when powerful nations sought to bind her to them by treaties of friendship and commerce—when her existence was no longer a thing to be questioned, but her young energies began to develop themselves, and to influence the affairs of the Christian world, then we proffered our alliance, and invited her to merge her nationality in the American Union. Sir, it is within my personal knowledge that, as early as 1844, the independence of Texas might have been acknowledged by Mexico upon the condition that she would bind herself to continue an independent state, unconnected with our confederacy. I was at that time in Europe, and in an interview with an official person of high rank, this fact was disclosed to me. Mexico foresaw her danger from our neighboring power, and it was her object to interpose

a feeble republic between herself and the United States as a barrier against an incursion which she dreaded. Some of the great states of Europe were interested in effecting this arrangement from other considerations. I informed our government of the state of affairs, and the next year it became known to the world that Mexico had in the most solemn form consented, through the intervention of the British and French governments, to acknowledge the independence of Texas, provided she would stipulate not to annex herself or to become subject to any country whatever.

I am asked if Mexico consented to acknowledge the Rio Grande as the boundary of Texas. My reply is, that I heard no other condition named than that of remaining a distinct state. That was the single condition.

But Texas, true to her American sympathies, true to her lineage, true to her love of constitutional liberty, declined the proposal, and entered into our Union, giving another star to our flag, and adding to our possessions a magnificent domain.

And now, sir, when this state asks for the boundaries which she has at all times asserted, we are called on to turn her over to the Supreme Court to have them passed upon. We have heretofore acknowledged her boundaries—acknowledged, did I say? we have asserted them, urged them, vindicated them at the mouth of the cannon, shed the blood of our people in defense of them; and now, when we have succeeded in having them granted by her ancient foe, we bid this young state, coming to us upon our own earn-

est invitation, to go and make good her claim, if she can, before our own judicial tribunal. I know that it is an august tribunal: I would not lessen its imposing dignity; I would rather add to it every sanction that could give potency to its high functions; but I trust that an American Congress will never send Texas away from its chambers to urge her claim to her boundaries before any tribunal under Heaven. It is a spectacle which I never desire to witness; it would leave an ineffaceable stain upon our escutcheon, which to-day is a resplendent one.

I am not surprised at the impatience which Texas exhibits under the delay of our government to acknowledge her rightful jurisdiction over her soil, but I trust she will not attempt to assert her claim by arms. Under our system, arms must not decide such disputes. There is no place for them. Law, constitutional law, lifts up its voice between contending parties, and by its majesty rebukes the appeal to arms. They are not in harmony with the system which binds these states. They must not be employed on either side in this controversy. They are to be taken up only when a people, hopeless of other relief against a government which oppresses them, appeal to the *ultima ratio* of kings, of states, and of men. If Texas should listen to the counsel of those who urge her to employ force in vindication of her rights, she will listen to unwise and rash counselors. It is not her interest to introduce brute force for the arbitrament of disputes under this government. Let her rather invoke the ægis of law. Let her appeal to us. I have an unshaken confidence in the honor,

the magnanimity, and the patriotism of Congress. The bill sent to us from the Senate, and upon which a question is about to be taken, is a pledge of the purpose of that body, at least, to treat her claims with the consideration which they deserve. Opinions are divided as to the extent of the territory which rightfully belongs to Texas, and the terms proposed to that state in the bill before us form a proper basis for the adjustment of that important dispute.

So far from being ready to vote at this time to reject the bill, I intend to give it my support, if I can be satisfied that the territory cut off from Texas will not be subjected to some act of legislation by Congress hostile to the interests of the Southern people; and I have already assurances that no such act will find favor in either House.

The bill will receive my support upon two considerations. In the first place, it will promote the interests of Texas; and, in the second place, it will give peace to the whole country.

As to the interests of Texas, they are comprehended by her able and patriotic senators. The bill received their support when it was before the Senate. I am willing to accept their action as the exponent of the sentiments of the people of that state in regard to their rights.

The parallel of $36^{\circ} 30'$ north latitude is fixed upon as the northern boundary of that state, and that line is adhered to until it touches the 103d degree of longitude; the boundary then runs south upon that line until it intersects the 32d parallel of north latitude, which it pursues west to the Rio Grande del Norte.

This boundary, it will be perceived, follows the line of $36^{\circ} 30'$ until it approaches the country settled by a Mexican population, when it diverges, as I have described it, so as to exclude them.

This arrangement is a wise one; it leaves out of the limits of Texas a people differing in origin, religion, opinions, and tastes from the great body of the people of that state. People differing so widely, where the *caste* is so marked, never could constitute a homogeneous population, and Texas is far better off without them than she could be with them. The territory embraced within the limits defined in the bill for that state is very large, and secures to her every substantial advantage which she could desire.

The ten millions of dollars will enable her to meet the claims against her, and relieve this young state from the pressure of a debt incurred in achieving her independence.

But, sir, if it be advantageous to Texas to accept the terms proposed in the bill, it is still more important to the country at large that they should be adopted. The people of the United States demand that this controversy shall be settled, and they will hail with the highest satisfaction a measure which restores to the country the peace which it so earnestly desires. What do they regard ten millions of dollars in comparison with the relief which the country will experience from the adjustment of a controversy which has too long already swept it like a tempest? Every interest in the country has suffered from its rage, and the world beholds with amazement the American Congress overlooking all other subjects,

foreign and domestic, and engrossed in a discussion which threatens to destroy the very existence of the government. Sir, it is time to bring this controversy to a conclusion. I desire to see peace. It is a blessing above all price.

It is objected to the bill before us, by some gentlemen from the Northern States, that the boundaries defined in it cut off from New Mexico a part of its territory. This objection has not the least foundation. I have already shown that New Mexico is not a political community, with limits fixed by the treaty. Even if it were to be maintained as such, with all the territory which belonged to it while a province of Mexico, I can satisfy every one that the boundaries marked out for Texas in the bill upon your table do not in any way interfere with the boundaries of New Mexico.

The truth is, the limits of New Mexico are not even approached by the line fixed on as the western boundary of Texas, before its intersection with the thirty-second parallel of north latitude, and it touches those limits only at El Paso. I now present to the House two very interesting maps, to which I invite attention. They were found in the Palace of Mexico, among the official papers of the war department of that republic, by an American officer of great intelligence and high character, when our army occupied its capital, and they were put into my hands by him. One is a French map; the other seems to have been prepared according to law, for the use of the Mexican War Office, and exhibits an exact delineation of the extent of each department of Mexico. The first is

by Brué, dated Paris, 1825; the other was prepared subsequent to a decree of the Mexican government of 1836, dividing the territory of the republic into departments, which are named, and which are marked on it in manuscript.

Both maps show that the province of New Mexico was of limited extent, embracing a district of country bordering on both sides of the Rio Grande, and not even approaching the 103d degree of longitude. It will be observed that I do not introduce these maps to afford any evidence of the extent of Texas; I am now directing my argument to another point, and that is, that the lines proposed in the Senate's bill for the boundaries of Texas do not in the slightest degree interfere with those of New Mexico. Nothing can be plainer than that; it is shown not only by the maps which I have produced, but by all those which can be produced, of any authenticity, and by all the descriptions which have been given to the world of the geography of that district of country.

Gentlemen, then, may dismiss all anxiety as to the boundaries of New Mexico, about which so much solicitude is expressed; they are not disturbed by the limits assigned to Texas in the bill which has been sent to us from the Senate. All objections to the boundaries of that state proposed in the bill give way upon investigation. The country claimed for New Mexico is open Indian territory, and the limits of that province will be largely extended if they are made to embrace all that is not included within the boundaries of Texas.

The considerations in favor of the bill are overwhelming. It appeals to the highest motives which can act upon the House—to its generosity, its justice, its patriotism. No selfish considerations; no sectional animosity; no narrow view of policy; no apprehension of personal risk should, for a single moment, be allowed to hinder its passage. It will, I am confident, find a powerful support from the great body of the American people. They are always loyal to the country, and they will hail with the enthusiasm of true patriotism the success of a measure which restores peace to thirty kindred states.

But, sir, this is not the only duty which we have to perform. We have already too long neglected to establish governments for the inhabitants of the territories ceded to us by Mexico. The government in New Mexico, if it may be called a government, ought not to have been suffered to endure for a single month after the meeting of Congress. It is a reproach to us; it is a monstrous anomaly in our political system. It resembles the Roman proconsular governments, by which that imperial power held its conquered provinces in subjection. Absolute power is confided to the hands of a military governor. What security do the inhabitants enjoy from oppression as hard and as cruel as that which was inflicted upon the people of Sicily by Verres, when he was prætor of that province? Before an appeal could be taken to our government, the grossest wrongs might be endured by the inhabitants of that distant district of country, who have been transferred to our jurisdiction by a solemn treaty, and by our own citizens who

are seeking homes there. The Mexicans who continue to reside there in the hope of becoming American citizens have the strongest claim to our protection. Torn from their own country by the fortune of war; subjected for a long time to a strict military government; transferred at last to the nation with which they had been at war, they are entitled to the rights which the treaty was supposed to secure to them. They are entitled to something beyond the mere privilege to remain upon the soil: they are to be maintained and protected in the free enjoyment of their liberty and property, and in the free exercise of their religion without restriction; and this, too, before they are admitted to the enjoyment of the rights of citizens of the United States.

Suppose these rights are violated, where are they to look for redress? Troops stationed at Santa Fé to repel attacks from Indians do not, in my judgment, acquit us of our solemn obligation. It is imperative upon us; let us do our duty. It has been too long neglected. The delay, and the causes of the delay, alike reproach us. Let us establish territorial governments for the people of New Mexico and Utah. These governments should not only be free from any restriction upon the rights of the citizens of the United States, but they should secure to the inhabitants the ample protection of American law. An American Congress can not withhold that. It is due to the Mexicans who are brought under our jurisdiction, and to our citizens residing there, that we should confer upon them the blessings of good government. If the system of American law be bet-

ter than that of Mexican law, they are entitled to its benefits. Is there nothing in the right of trial by jury? Is the writ of *habeas corpus* of no value? Is not the common law to be prized, with its innumerable privileges? These—all these the inhabitants of our Territories should enjoy; and especially should they be secured to our citizens, hardy and enterprising men, who turn their backs upon their native country and take up their abode in the wilderness, which they will presently convert into fields teeming with the varied fruits of industry. Every obstruction ought to be removed out of the way of our people who desire to emigrate to our Territories. The American citizen is entitled to the protection of his government in the enjoyment of his life, his liberty, and his property, wherever he fixes his residence, if the soil be under the jurisdiction of the flag of the United States. I do not give my assent to the doctrine of non-intervention. The power to govern the Territories belongs to the government of the United States, and it must be employed for the benefit of the people of all the states. The power may be rightfully employed to remove obstructions out of the way of the enjoyment of their rights of every description in the Territories, but it can not be employed to put restrictions upon the enjoyment of those rights.

The one act would be an exercise of its legitimate functions, the other would be an abuse of them. The governments organized for the territories acquired from Mexico should be established upon these principles. The blessings of good government would be secured to the inhabitants of those remote posses-

sions, and harmony would be restored to the whole country. The time is come to look out upon the whole sweep of the horizon which encircles our broad land, with a firm purpose to do our duty to the people of every part of it. We must rise to a noble view of our duties as American representatives, and bring our minds to a full survey of the interests of the great country which Providence has intrusted to our legislation. The troubles which surround us have resulted from an attempt to turn the government of the United States from the true sphere of its action. Established by the people of the States for their common benefit, with great but limited powers, some have sought to control it for selfish purposes—to bring it to bear in favor of a section or against a section. Its balance has been disturbed. It is distrusted by the people of the States against which its power is directed, and their affections, which clung to it with ardor, begin to suffer an alienation, which is as natural as it is likely to be fatal, unless it be arrested. The government must regain their confidence by poising itself upon the basis of the Constitution, and by giving to the country an administration national in its aim and spirit. Our political system is a complex one. It blends the elements of popular power with the vigor of a stable government. In the states of Greece the principle was, for the first time, recognized, that the government was established for the good of the community. In the language of a celebrated English writer on Greece, “From the earliest times it was not the *monarch*, but the *STATE*, that called forth the virtue of devotion and inspired the enthusiasm of loyalty.”

Asia had produced only despotisms, not relieved by a single provision for the protection of human liberty. The power of the monarch was supported at the expense of popular rights. The two systems met in conflict at Salamis and at Plataea. The triumph of Greece was complete, and the struggle of opinion on the soil of Europe in behalf of the rights of mankind has been maintained ever since. Reverses have never crushed it. The weight of the most powerful throne has never completely overwhelmed it. It has asserted its ever-springing vigor, and is to-day bringing every government beneath the heavens under its sway. Our system is an improvement upon those which took their rise in Greece. It is no longer the state whose glory is to be enhanced by the sacrifice of individual rights, but it is the happiness of the people who compose the state which is to be secured. The splendor or power of the government can not be advanced at the expense of the rights of the citizen. The representative principle—a principle which belongs to modern systems—secures the rights of the individual and the strength of the state. Can this system be maintained? It can; it will be; it must be. With all its faults—guided, as it sometimes is, by unwise counsels—it is the noblest political structure which the world ever saw, and secures more practical liberty to mankind than every other existing government. Let it be administered in the spirit in which it was conceived, and it will stand through the expanding cycles of the future. I know, sir, that some in our own country pronounce it a failure, and it may be that some desire to overthrow it. Its complex char-

acter, blending the powers of a general government with those of the several states, exposes it to dangers from its own action. The dangers result from an occasional tendency to centralization—from an assumption of powers by the general government not granted in the Constitution.

This will always give rise to dissatisfaction in the States, whose interest it is to resist any encroachments upon their rights.

Chief-justice Marshall once remarked of the court over which he presided, "This court never leans." Those who are intrusted with the administration of the government should interpret its grant of powers in the same spirit, neither enlarging nor limiting them; and if this course be adhered to, the Union of these states will outlive the predictions of its timid friends and the impotent struggles of its enemies.

The extent of our domain can not impair its strength. The improvements of modern civilization will enable us to plant our self-sustaining institutions as firmly upon the shores of the Pacific as they are seated upon those of the Atlantic.

If there be those in any part of our wide-spread limits, north or south, who are striving to divide this growing empire—who seek to magnify rather than to remove the causes of disagreement—who utter unceasing complaints against the government for the abuse of its powers, and yet reject all measures of redress, I have no sympathy with them. The responsibility of perpetuating the existence of the government rests mainly on the North. It holds the destiny of the country in its hands. I appeal to gentle-

men from that section of the Union to come up at this critical hour, when the eyes of the nation are turned upon us with mingled anxiety and hope, and adjust the unhappy controversy which has so long disturbed our councils.

The crusade which has been carried on against the institutions of the South must be abandoned. If persisted in, it will precipitate us into struggles which may end in the destruction of the republic.

The nobler feelings which are sometimes appealed to in the fierce warfare directed against us will only betray a misguided people into acts of hostility, which will involve us all in common ruin. Those who follow you will then hold you responsible for calamities which can no longer be averted. Then may they who looked to you for counsel—to you, who undertook the task of leading them in the perilous enterprise upon which they were entering—to you, placed where you could see all the wrong and all the danger—reproach you in the language of the great dramatist:

“Hadst thou but shook thy head, or made a pause,
When I spake darkly what I purposed,
Or turned an eye of doubt upon my face.”

Mr. Speaker, I have never permitted myself to look to a destruction of the government as a remedy for existing evils. I have not sought to explore the dark and perilous future which lies beyond the hour of separation between these states, bound together by so many ties. I have a sincere desire to preserve the Union. Its disruption would involve the North and the South in common ruin. Rival states, with standing armies, and fortresses bristling with guns erected

upon streams now flowing in peace between kindred states; conflicting interests; heavy commercial regulations fettering trade now untrammelled—all this would replace the wide scene of prosperity and happiness which now salutes the eye as it surveys the whole extent of our country.

Nor would this be all: rival states would soon become belligerent states, and armies would be employed to decide the supremacy between them. The flag that floats to-day over every part of our wide domain, from the banks of the St. Lawrence, in full view of the British possessions, to the coast of the Pacific, where it meets the eye of the navigator returning from Asia, and upon our ships, which bear it upon all the waters of the earth, is known and honored as the ensign of a great and powerful republic; it is associated with all the glories of our past history; its folds glitter at this moment before the eyes of mankind as the sign of hope and of universal freedom; and I trust that it will forever fly with undiminished splendor above free, independent, and kindred states, not divided into petty principalities or feeble leagues, but united, as they now are, under a government the mightiest, the freest, and the happiest upon which the sun looks down.

If the glorious system under which we live goes down, it leaves the world not a single example of a free and great nation. The noblest, the grandest, the most successful of all human experiments in behalf of constitutional liberty will have failed, and the world can not hope to reconstruct a stable, powerful, and enduring political system for the protection of

popular rights. Put out the light which streams from our institutions upon the world, and it is extinguished forever.

“I know not where is that Promethean heat
That can thy light relume.”

POLICY OF THE GOVERNMENT TOWARD THE INDIANS.

A SPEECH DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES, FEBRUARY 20th, 1851.

MR. CHAIRMAN,—While I wish to see economy in the use of public money in every part of the government, I shall vote for the largest sum which it is proposed to assert in this bill as an appropriation for the payment of Indian agents.

We must either pay agents to look after the Indians, or we must pay troops to fight them: our alternative is conciliation or war; and whether we regard economy or humanity, we can not for a moment hesitate which policy to adopt.

It is far cheaper—leaving out of view nobler considerations—to deal in a magnanimous and liberal spirit with these wild tribes than it would be to make war upon them. We must make them respect us; they must be taught to expect justice from us, and to confide in our good disposition toward them.

Whenever you succeed in impressing them with a sense of your justice and your power; whenever they can be made to comprehend that you intend to deal honestly with them, and learn that, if they violate the treaties which they have made with you, your troops are able to beat them, you will have no further trouble with them.

At all times peace is to be preferred to war, if the

honor and the rights of the country can be maintained without a resort to arms; but especially ought we to pursue a pacific policy toward the feebler tribes who are now dependent upon our bounty.

Their condition makes a powerful appeal to our humanity. It is not to be denied that they have been demoralized by their intercourse with us; they have lost all their former heroic qualities, and have learned only the vices of the white race.

It is far wiser, sir, by a liberal appropriation to secure the services of competent and trustworthy agents, who will conciliate the Indians, and teach them to submit to your government, than it would be to appropriate a less sum, and send worthless men to deal with them—men who will serve only to demoralize them still more, and to spread distrust among the tribes whom we are bound by every consideration to cherish and protect.

I can not view the history of that unfortunate people without the profoundest regret. Compare their condition to-day with their happy and prosperous state when they first welcomed the white race to their shores. Powerful, warlike, and brave, they dwelt in native majesty in their forest homes, and they held all these broad lands which we now claim as our heritage. They have retreated before our advancing civilization; they have not a single resting-place between the Atlantic and the Mississippi—all that wide domain is lost to them; they are almost without a home; they can no longer follow the setting sun in his course, for powerful states are growing up on the Pacific shore; their native dignity has disap-

peared; their numerous and warlike tribes have dwindled away; their numbers are diminishing so rapidly that it can not be doubted the race will become extinct; and yet they retain that fierce spirit which impels them to resent the wrongs inflicted upon them by their oppressors.

Is it not far nobler, sir—is it not far wiser, to deal generously with such a people, than to attempt, by a false economy, to lessen the appropriations for their benefit? Expend your money freely upon them—lavish it rather than stint it.

Pay your Indian agents well; secure the confidence of these unfortunate tribes, and you will find it, in the end, true economy.

I never wish to see a gun turned against the Indian hereafter, or a weapon raised to strike the feeble race; infinitely would I prefer to adopt the just and magnanimous policy of Mr. Jefferson, and cherish the descendants of the aborigines whom you have dispossessed of their homes. It is even now almost too late to atone for the wrongs and injuries which we have inflicted upon them; but, whatever we can do to brighten their future; whatever we can do to reclaim them from their degradation; whatever we can do to make them acquainted with a true civilization, and to make them feel the elevating influences of a genuine Christianity, which in its unselfishness seeks only to lift up, to cheer, and to guide; whatever we can do to compensate for the past, let us do freely.

Such, sir, are my views of the policy proper to be pursued toward the Indian tribes. I shall vote for

the largest appropriations which the bill proposes. I trust that the committee will agree with me, and that the action of the government in its dealings with the Indian tribes will hereafter exhibit a policy which blends economy with humanity, and true statesmanship with exalted Christian sentiment.

VINDICATION OF MR. WEBSTER.

REMARKS MADE IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES, FEBRUARY 25th, 1851.

I THINK it must be clear to all, Mr. Chairman, that this debate has taken a most unfortunate turn. Who could have imagined that in a debate upon a bill providing for the payment of the indemnity due to Mexico, a heated and violent speech would be uttered against the Secretary of State?

It will be admitted by the most malignant assailants of that eminent man that he has not sought to incur the responsibilities or to perform the duties which we are about to put upon him. It is not by his own act that he undertakes the task of conducting a negotiation for the payment of a debt which this nation owes. That duty has devolved upon him by law; and with that apparent to us all, it must occur to every man of ordinary charity or of ordinary fairness, that at a moment when we are debating a measure of public policy like this, it is a most ungenerous turn to give the discussion to make it personal to the Secretary of State. Like the gentleman who has just taken his seat (Mr. Ashmun), and who comes from Massachusetts, the home of the great statesman, I shall content myself with an expression of my indignant sense of the wrong which has been done to us all by the colleague of that gentleman (Mr. Allen), in

his speech this evening, without attempting an elaborate defense of Mr. Webster.

The charge recoils from the great mark against which it is hurled like a javelin from the broad shield of Achilles.

I know nothing of the circumstances which have been referred to, but I am very sure that every gentleman of every party will agree with me in thinking that public reputation is public property; that the fame of a great man is not to be thrown away idly; that a good name is to be valued above all price; and that extraordinary, groundless, and malignant charges are not to be thrown out in a body like this, whose proceedings are published to the whole world, without being replied to with something like severity, if not with indignation.

A splendid reputation, that honors the country, to say the least of it, and throws its lustre about the American name, is prized by me beyond all price; and a great life, whose golden orb is already setting beneath the horizon of time, is so much venerated by me, that I can not consent to see a single speck placed upon it by any malignant hand.

Indeed, sir, if I could, I would send down to posterity the fame of every great American statesman of every party, without a single spot to stain it or a single shadow to dim it.

There is not a man living among us, I care not how fierce the rivalry of party may have been, or how heated the contests into which we have been plunged—there is not an illustrious living American whose good name I do not value, and I should rejoice to

know that every one of them would preserve throughout his life an untarnished fame, and sleep at the close of his career in an honored grave. And I venture to say, sir, that there is not a gentleman present this evening who has not listened with impatience to the charges which have been so unnecessarily, so wantonly, and, I believe I may say, so wickedly uttered against one of our most illustrious men.

Mr. Chairman, I must be allowed to say that much of the hostility which we have witnessed this evening is due to the fact that, in the contest which has just gone by, when a cloud hung over this country which threw its portentous shadow over the whole heavens, so that good men began to tremble for the fate of the government, and bad men began to hope that it would be overthrown—it was because at that moment this great man stood up for his country, and denounced the factions that would destroy it, that this fierce hostility is exhibited. It is because he took upon him the great task of resisting the legions which were bearing down against the rights of the South, bringing all the energy and strength of his intellect into the service of his country, and holding up the Constitution as a shield for the protection of our rights, that he has been so grossly and wantonly assailed.

I do not doubt, sir, that all this hostility exhibited by the Free-Soil faction is due to the fact that the great statesman who is the object of it threw himself, at that momentous crisis in our history, in the way of their destructive schemes, and contributed so largely toward effecting that pacification which the country has hailed with so much satisfaction. Mr. Web-

ster put every thing at stake for the country, and, notwithstanding attacks of this kind, his fame, which was resplendent before, will go down to posterity with still higher lustre than it could have worn but for the courage which he displayed on that occasion. He stands out before the eyes of mankind in a far grander position than he would have occupied had he not taken that bold stand, with so much generosity and with so much self-sacrificing patriotism in behalf of the rights of the Southern people. For one, as an American, I thank him for his courage; and, as a Southern man, I am grateful to him for his magnanimity.

His name will be recorded upon the brightest pages of the history of our times, in the noblest terms. Massachusetts may repudiate him; I do not believe she will. Massachusetts will be true to her own fame, and will stand by her great son; but if she were to repudiate him, the nation would take him up. He is in no danger; he stands stronger to-day in the affections of his countrymen than he ever stood before. Such shafts as have been hurled at him can not reach him.

Among the first acts of my public life in this hall was a defense of Mr. Webster from charges brought against him by a distinguished gentleman from Pennsylvania, who, I was confident, misapprehended the facts of which he spoke. I then said that, having but a few months before returned from Europe, where I held a diplomatic appointment which brought me into official relations with Mr. Webster, and gave me the opportunity of learning the sentiments of the pub-

lie men of Europe respecting him, I could unhesitatingly declare that he had exhibited the utmost solicitude for the welfare and the honor of his country; that his great fame filled every American citizen with pride; and that in the glorious constellation of illustrious names adorning the republic, there was not one which shone with greater splendor than that of DANIEL WEBSTER.

My service in this House is about to close. I shall retire from it voluntarily, and I count it a piece of good fortune that one of my last acts here is the vindication of that great statesman. I have had but one opinion of him from the beginning to the end. He rises in our midst like some tall cliff; mists and shadows settle at his feet, but eternal sunshine gilds his noble brow. The heavens are now serene—they are crowded and adorned with constellations; but every one who looks back to the period of which I have spoken will remember that they were overcast with clouds; the first star that broke the darkness and cheered the country, then full of anxiety, was DANIEL WEBSTER. Since then, others have appeared, but he will ever wear the great honor of emerging first, with all his splendor, from the gloom which overshadowed us.

Mr. Chairman, I have felt that it was due to the personal and political relations which I bear to that eminent man that I should make this public declaration of my confidence in him.

I believe that he is upright; so far as the public counsels of his country can bear witness to his course, it has been above suspicion; every act shows that he

has lived for his country. I believe that he has no higher aspiration than that which he has so nobly and eloquently expressed in the conclusion of one of his own great speeches, that the last feeble and lingering glance of his eyes might, when for the last time they saw the sun in the heavens, behold him shining upon states still united and prosperous, and the gorgeous ensign of the republic “still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, not a single star obscured, bearing for its motto no such miserable interrogatory as, What is all this worth? nor those other words of delusion and folly, Liberty first and Union afterward, but every where spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every wind under the whole heaven, that other sentiment, dear to every true American heart, Liberty and Union; now and forever, one and inseparable.”

ADDRESS TO CONSTITUENTS.

A PAPER ADDRESSED TO THE PEOPLE OF THE SECOND CONGRESSIONAL DISTRICT OF ALABAMA, DECLINING A RE-ELECTION TO CONGRESS, DECEMBER 3d, 1850.

BEFORE entering upon the engrossing duties of the session of Congress which has just opened, I wish to execute a purpose which was formed long since, and to which I still adhere—that is, to decline a re-election to the House of Representatives. Some of my friends were made acquainted with this purpose more than a twelvemonth ago, but, as I continue to receive letters from gentlemen residing in different parts of the district urging me to consent to be a candidate once more, I think it best to announce my determination to retire in a public and formal manner.

At the expiration of my present term I shall have been engaged in your service for six successive years. While I have fully appreciated the honor of representing you in the Congress of the United States, I have at all times been sensible of the great duties which the trust devolved upon me. I have encountered opposition, and my course has been freely canvassed, but I believe that I have enjoyed a large share of your confidence. I have endeavored throughout my public life to do my duty faithfully. I have been, at every step of my progress, animated with the hope of advancing your interests, and of contributing somewhat to the prosperity and the glory of the whole country. This consciousness is above all price.

I shall cherish it through life. It would sustain me even in the face of your frowns, and under the burden of your censure. I have, however, the high satisfaction of believing that my course meets the approbation of a very large majority of those who have repeatedly chosen me to represent them.

The period through which the country has passed since I entered Congress is justly regarded as one of the most eventful in our history. Within that time, Texas has been annexed to the United States; we have carried on and brought to a close a brilliant war; we have acquired from Mexico, by treaty, vast possessions which have seated our power and our institutions on the Pacific, so that we now stretch an undisputed empire over a territory bounded by the two great oceans of the world; we have just passed through a storm which swept the country with unprecedented fury, and which has tried the strength of our political system. The stately fabric still stands, and is, I hope, destined to stand, when the history of the struggle through which we have come will be referred to only as an illustration of the power of a confederate republic to exist in the midst of great popular commotions. The great questions of the time seem now to be settled; the receding waves and the brightening horizon promise a season of repose. We are at peace with all the world, and we have at the head of the government an administration which announces for its guidance principles so just, so wise, and, I may say, so noble, that we may hope to escape collision with foreign powers, while the rights and the honor of our country are vigorously maintained and vindi-

cated. The administration, too, is pledged to the support of the adjustment of domestic troubles which Congress so lately effected, after the longest and most important session it ever held.

Having borne my part in these important events, I feel that I may retire from the place to which you have repeatedly elevated me without exposing myself to the charge of indifference to your interests, or a disposition to shrink from any responsibility which I ought to encounter.

The events which have transpired within the last twelve months, so far from impairing the strength of our political system, have really served to demonstrate it. There is, to-day, a growing conviction in the mind of the whole nation, that the Constitution must be adhered to in its pristine spirit, and that, while it is adhered to, the republic will endure. A storm which sweeps the ocean and drives the vessel before its fury makes the mariner look more closely to his means of safety, and a political convulsion which threatens to overthrow the government brings about a recurrence to the great elementary principles upon which the fabric rests. States spread over a continent, with every variety of soil and climate, with diverse interests, rapidly advancing in wealth, power, and population, and held together by a general government of great but limited powers, must feel that their harmonious progress can be secured only by a faithful adherence to the Constitution. Some who witness our unprecedented growth express the apprehension that our territory is becoming too widely extended to be embraced within a single govern-

ment. I do not, for a moment, share this apprehension. The great political fabric under which we live is new and complex, and, I believe, capable of great enlargement. Nothing in ancient or modern times can furnish a resemblance to it. It does not consist of a single state, like some of the ancient republics, nor is it an empire like the Roman, concentrating its strength in a single central seat of power, and spreading its arms and its institutions by conquest over remote regions. Our growth is natural and spontaneous; it is the result of the inherent energy of our people, and it does not enfeeble the general government by bringing new states under its jurisdiction. The Roman empire sent its eagles, in the hands of the Roman soldier, from the African desert to Northern Germany, and from the Euphrates to the Atlantic Ocean. The principle upon which this empire was extended was force: a decay of the central power left the distant possessions at liberty to assert their independence, and they threw off a yoke which the feeble hand of a degenerate race could no longer bind upon their necks. But our progress is the spread of a great family, all bearing with them the law, the traditions, the sympathies, and the religion of those from whom they have removed. Our system of government, too, blends the advantages of a local jurisdiction with the authority of a federal power. Montesquieu, one of the most philosophical political writers which any age has produced, says that "a CONFEDERATE REPUBLIC has all the internal advantages of a republican, together with the external force of a monarchical government. As this government is com-

posed of small republics, it enjoys the internal happiness of each, and, with respect to its external situation, it is possessed, by means of the association, of all the advantages of large monarchies." Our government, then, being a confederate republic, will enable us to spread our population and our institutions over our entire domain. We must bear in mind, too, that modern civilization has wrought great changes in the relations which nations bear to each other. The means of intercommunication are so improved by modern science, that those parts of the world which we have been accustomed to consider the most remote from each other are brought into neighborhood. Steam and the magnetic telegraph enable us to circulate ideas throughout our wide-spread limits with a rapidity that overcomes time and distance; what is uttered or written at the seat of the federal government is addressed directly to the great body of the American people; they observe the movements of the government, and pass upon our measures as if they were present at the capital. The action of the government is felt immediately at the most remote points, and an impression is made as directly upon the great mind of the nation as if its widely-scattered population were gathered into a single community. The progress of business in the halls of Congress is known in New Orleans, Cincinnati, and Boston as soon as it is known in Washington. Even the most remote parts of our country are not really more distant from each other than the most widely-separated points of the old thirteen states were when a single government was established for them. These means of intercom-

munication must be increased; they must be taxed as lightly as possible; postage must be reduced; railroads must be multiplied, and the Pacific coast must be brought nearer to us by the early construction of one of those great highways of commerce and of travel. The scheme of retaliation lately projected of discriminating against the products of other states must be abandoned, and our whole legislation—the legislation of Congress and the legislation of the States—must be guided by a comprehensive, national, and patriotic spirit. These states must regard each other as kindred states; the CONSTITUTION must be recognized in all of them as the supreme law; and the acts of Congress, passed in accordance with its provisions, must be obeyed; and we must fix in our own minds and in our hearts the idea that, as we have had a common origin, we must have a common destiny. If the past has witnessed our struggles, let the future exhibit our triumphs. Let the great standard of the republic forever float over states associated in a Union as indissoluble as it is glorious.

The disturbing question which has threatened to array one section against another in irreconcilable hostility is disposed of. I comprehended its danger, and I foresaw that the agitation which attended it would be fatal, unless the government could be brought to confine its action within the limits ordained by the Constitution. I felt it to be my duty, in the early part of the late session of Congress, to assert your rights in the strongest terms, and to state in the most explicit manner what it seemed to me must be the certain and disastrous issue of any act of aggression

on them by the general government. This frankness was due to you, to the North, by whose representatives hostile measures were urged, and to the country at large. The protracted discussion carried on in Congress, and the angry feeling which too often characterized it, filled the country with apprehension, and impeded the progress of public business.

But that scene prepared the way for the great measures which followed, and which constitute a complete adjustment of the alarming controversy which for so long a time disturbed the repose of the country. The beginning was necessary to the end. The adjustment, in the language of President Fillmore's admirable message, is to be regarded as a "FINAL ONE." The general government possesses no power to interfere with our domestic institutions; its power exhausts itself when it touches the limits of a state. Let us, then, cultivate a patriotism large enough to embrace our whole country. Let us hope that our rights will be respected by the other states of the Union. Let us forbear any hostile acts on our own part. I certainly desire to see in the midst of the great agricultural regions of the South a varied industry, which shall rival that of the North, and which shall spread over our fertile plains all the embellishments which wealth and a high civilization can bestow. I desire, too, to see a direct trade with foreign countries carried on through Southern ports. But I desire to see all this brought about by the enterprise and the energy of our people, entering into a bold and generous competition with those of the other states. We should seek to make Alabama a great and wealthy

state, and we can do this by the vigorous development of our resources. Our fertile soil, our noble streams, our great cotton crop, our exhaustless mineral wealth, our population intelligent, industrious, enterprising, and religious, these will enable us to advance with a steady and rapid march in civilization, without resorting to legislative expedients to tax the products of other states associated with us in a common government, one of the great objects of which is to keep open the channels of intercommunication.

These are my views; they are frankly expressed, and I hope that they will meet your approbation. In bringing our connection as constituents and representative to a close, I beg you to receive them as the sentiments of a heart penetrated with a sense of your kindness, and unswervingly devoted to those who, throughout my political course, have given me a support as steady as it has been generous. I shall return to enter upon my duties once more as a citizen. I fixed my residence among you when young and inexperienced, and I shall return to my cherished home with an affection for it which neither time nor absence have chilled. Coming as I now am to mature manhood, I feel that I must employ the vigor of my life in attention to interests which have been too long neglected, and I shall gladly relinquish the honors and the responsibilities of public life, to enter upon the quieter but happier duties of a private station.

HENRY W. HILLIARD.

Washington, December 3d, 1850.

GENERAL TAYLOR'S CLAIMS TO THE PRESIDENCY.

A SPEECH DELIVERED AT THE BUENA VISTA FESTIVAL, HELD IN THE
CHINESE MUSEUM, PHILADELPHIA, FEBRUARY 22d, 1848.

WE meet, fellow-citizens, under the most interesting circumstances; the past and the future shed their blended light upon us. I rejoice that I am here on this occasion, and that I see around me so large an assemblage of the citizens of Philadelphia—a city renowned not only for its wealth and intelligence, but for its constant attachment to Whig principles. I know that a double motive brings us together this evening; we come to celebrate the anniversary of a day which gave Washington to the world, and of a day which opened upon one of the most extraordinary battle-scenes which has occurred in ancient or modern times—a battle-scene which exhibited the great qualities of another American general who so strongly resembles Washington—I mean General Zachary Taylor. The day will go down to posterity with these glorious associations, and will call out from succeeding generations ever-increasing gratulations. We meet not only to celebrate these great results, but to counsel together, on this hallowed anniversary, upon the best interests of the country.

At the close of the Revolutionary war, the colonies which had fought through that great struggle became united states, under a system of confederation which

did not accomplish the objects for which it was created. A Convention met to form a more perfect union, composed of the leading spirits of the time, and the present Constitution was agreed upon. Who was chosen to guide the new government into the troubled waters of an untried future? Not Adams, trained as he was in the departments of civil life; not Hamilton, with his clear, profound, and comprehensive intellect; not Jefferson, with all his genius, courage, and enthusiasm. No, to none of these was the helm committed in that trying hour; but the bold, manly, vigorous hand of Washington grasped it, and the world saw the doubt and apprehension of a young nation, just entering upon its career, soon give way to confidence and hope.

The simple grandeur of that first president was suited to the great proportions of the government which he undertook to administer. We live in eventful times. The great virtues of the early days of the republic seem almost lost to us. We need some man who is not simply a politician; some man cast in a noble mould; some man endeared to the American people by his services; some man who, on trying occasions, has displayed both courage and wisdom; some man whose public and private character are alike spotless, to vindicate the principles of the American government, and bring it back to its purer and better days.

In the order of Providence, such a man is presented to us now. That man is General Zachary Taylor. (Great acclamation.)

We desire to-day, in the midst of the impressive

scenes which surround us, to present him to the people of the United States as a candidate for the presidency. Washington once filled that great station. After the lapse of half a century, we wish to see it filled by Taylor, whose name and deeds will be forever associated with his.

We present General Taylor as a candidate, not merely because of his great strength with the American people, but because of the great qualities which belong to him. To a mind clear and vigorous he adds a great heart. His enlightened judgment, his self-possession in the midst of danger, his keen foresight, his love of truth, his independence, his unselfishness, his modesty, these all proclaim him great. His whole character is admirably balanced, displaying a rare combination of high endowments.

How complete is his oblivion of self! His whole course is characterized by a generous regard for others. His reception at New Orleans was a brilliant one, and a friend remarked to him, "General, this is a bright day for you; you must have enjoyed it." "Not altogether," he replied; "there were so many women and children present that I was afraid some of them would get hurt." Was there ever before a man heard of, who, upon the occasion of a great and imposing public reception, was more alarmed for the safety of women and children than elated at the honors paid him? This little incident, so unimportant in itself, beautifully illustrates a great character.

Was there ever before a man known among us who spoke of others as better qualified than himself for an office to which the uplifted voice of a nation was

calling him? In the letter just read to us, General Taylor speaks of Henry Clay as better suited (tremendous applause) to the presidency than himself. I rejoice, fellow-citizens, at this demonstration of regard for Mr. Clay. It proves your attachment to the Whig cause. It attests the sacrifice you make in giving up one who has long stood at the helm, and firmly held his station amid tempest and storm. You have done battle for him nobly, and you still cheer *him*, while you rally round the standard of a great captain who will lead us to certain victory. (Loud cheers.) Taylor is worthy to lead you; his great services and his great character alike claim your confidence. Of him it may be said, as one said of a noble Roman,

"The elements are
So mix'd in him, that Nature might stand up,
And say to all the world, This is a man."

His character is illustrated by his career. We all remember the profound anxiety which pervaded the country when the news reached us that the small army under General Taylor, then stationed upon the Rio Grande, was threatened by an overwhelming Mexican force; that Thornton and his company were cut off, and that an attack was about to be made on Fort Brown. The commanding general had marched to Point Isabel for his supplies. He was returning; but he seemed to be cut off by a Mexican army, which occupied the ground before him, and threatened to annihilate him. The battle of Palo Alto was fought, and the Mexicans gave back before the American guns. The next morning a council of officers was

assembled, and the question was asked, "Shall we return to Point Isabel, or advance to Fort Brown?" There were brave officers who thought it rash to advance in the face of an overwhelming force, strongly posted, and they thought it best to fall back. After hearing opinions, General Taylor said, "Gentlemen, if I live, I will sleep in Fort Brown to-night." With what anxiety did the little garrison left there await the result of that day's fight! The fierce and exulting hosts poured down upon the American troops, and for a moment hid them from view; but when the cloud of battle was rent, out rode Taylor at their head, the broken ranks of the Mexican army flying before him, and bearing to Fort Brown the first news of their own defeat, as they swept by in utter terror and confusion.

The next conflict between the American and Mexican arms took place at Monterey—a walled city, filled with troops, and defying attack. But it yielded to the impetuous valor of American soldiers, led on by Taylor. No strength of position, no disproportion of numbers, could withstand them. The annals of the world can not furnish a parallel to such an exploit.

The semi-fabulous accounts of the conquest of Granada show no such achievement.

But at Buena Vista General Taylor exhibited the great qualities which belong to him so conspicuously that the world saw he was a man cast in no common mould. It must be remembered that a very large proportion of the regular force was withdrawn from him, and he was left in an advanced and exposed

position, supported only by a small body of volunteers.

The Mexican army, twenty thousand strong, was bearing down upon him, led by their greatest chief, Santa Anna. In this perilous position, it became General Taylor's duty to determine whether he should stand and make battle against such fearful odds, or fall back upon Monterey, as he had been authorized to do by the commander-in-chief. The great considerations involved in his decision passed in review before him. If he fell back, he must abandon to the enemy the whole country which the position commanded. The spirit of the army, too, would be damped by a retreat. Yet his returning spies reported the advance of the Mexican force in all its overpowering strength; and, as he looked out upon his own lines, he saw himself supported by less than five thousand troops, and of these only two squadrons of cavalry and three battalions of light artillery, making just four hundred and fifty-three (453) men, were regular soldiers. He resolved to stand. His mind swept the whole horizon about him. He saw his danger, but he saw his duty, and he resolved to STAND.

The shock of battle came. The infuriated Mexican hosts poured down upon the little body of American troops, almost surrounding them; but Taylor was there, unshaken as a rock, against which the billows dash in vain; and when no *regiment* could be found to support a battery, *he* supported it himself.

When, after two days' struggle, the smoke of battle cleared away from that hard-fought field, there stood Taylor, his bayonets gilded by the sun of victory, and

the banner of his country, which floated over him, crowned with imperishable victory.

We need, at this moment, such a man to stand forward as our leader. The crisis demands him, and we may thank an overruling Providence that the crisis has produced him. Trying occasions call out great men. They are sometimes born amid convulsions, which they afterward guide for the good of mankind. Now, when the government is in the hands of a reckless administration, we must wrest it from those who would drive it headlong upon swift destruction. We want a leader who will open the way to victory—who will scatter the serried ranks of the opposing force—and that leader is “the old thunderer of the Cordilleras.” Victory knows his standard. Even now, poised in mid air, it waits to see that standard once more flung out under the heavens, to light upon it, and proclaim a peaceful and beneficent conquest.

It is said he is not a Whig. Who can doubt, after the letter which we have read here to-night? He is not the mere creature of a party. I honor him for it. He belongs to his country—to his whole country; and, if he should undertake the administration of the government, he will enter upon his great task, as Washington did, uncommitted, unfettered, looking to no resolutions of a Convention, but looking to the condition of the country and to the Constitution.

He is a Whig—a Whig in principle, a Whig in affinities—and he will be a Whig upon the noblest model.

There is a broad distinction between the principles and the measures of a party. The great principle of

the Whig party is its conservative feeling, its disposition to check the headlong career of a dangerous administration, to arrest the proclivity of the government, and bring it back to the purer and better days of the republic. Measures are designed to carry out principles, and must vary with the changing condition of the country. But there is an ever-springing vigor about the great principles of the Whig party; and in view of them, in the noblest sense of the term, General Taylor is a Whig. The country has suffered too much from *mere* partisans, and I desire to contribute to the election of a President who will rise into the loftier character of a patriot.

Gentlemen, at this hour we must look to our *cause*. We must give up *men*. I have stood by Mr. Clay with unshrinking fidelity. At Harrisburg, in 1839, I sustained his nomination up to the last moment; but, when General Harrison was chosen, I took my place under his standard, and followed it into the thickest of the fight. In my judgment, we must take the same course now, or our cause is doomed to disaster and defeat.

We are practical men. We shall not indulge the wild enthusiasm which would impel us into a desperate, hopeless conflict for the elevation of a favorite leader. Men must give way that the cause may triumph. Under General Taylor's banner we fear no defeat. He stood upon the field of Buena Vista supported mainly by volunteers—the regular troops had been withdrawn from him; and yet, when Santa Anna, with his twenty thousand men, rushed down upon him, they recoiled from the shock, covered with

inglorious defeat. So it is now. General Taylor stands out the candidate of the people. He is sustained only by volunteers. The regular forces have not yet come into the field. But he can not be driven from his position; and if attacked by any force, under any leader, he will give them another Buena Vista. I see around me gallant spirits, and I know that, when General Taylor's name is brought forward, they will spring to their guns as Bragg and Washington did to their batteries.

The States are ready to declare for him. New England will soon fling out his banner. New York is already sending its forces to his support, and will give him the vote of an empire. Pennsylvania will march its legions into the lines which form about him. Virginia only waits to hear his name proclaimed to join the mighty Whig phalanx. A shout for Taylor comes up from the great West; while almost the whole South—North Carolina, Georgia, Mississippi, Louisiana, and Florida—have already declared for him; and I firmly believe that, if we spread that banner to the breeze in Alabama, we shall be able, though against great odds, to bring the ship, so long misguided, into the Whig line of battle.

Rome was accustomed to call home her victorious generals, and reward them with public triumphs. We shall call home a general, so modest, so pure, so like Washington, to give him a still higher reward. We have other generals to lead our armies to battle, but to him—to Taylor—we shall intrust the helm of state. He leads home no captives; he leaves behind no prisoners in chains; and he returns, as we hope,

to wield, with the blessing of God, the powers of the chief magistracy, and to bring back the government to its ancient purity.

George Washington was the first President of the United States. In the gallery of the King of the French, at Versailles, in a collection of illustrious portraits, I saw the form of that AMERICAN whose fame is so wide that mankind claim it as a heritage, and I rejoiced that I was an American. I trust that now, from the very storm of battle, another man is disclosed to the view of the American people, who, while he resembles Washington in the great lineaments of his character, will administer the government as he did.

Such is my conviction of the dangers to which the country is exposed—such my earnest wish to bring the government back to its earlier and better days, that, whatever standard there may be in the field, my heart, my voice, my energies shall be employed in support of General Taylor.

MASSACHUSETTS AND THE UNION.

A SPEECH DELIVERED IN BOSTON, AT A DINNER GIVEN BY THE CITY COUNCIL TO A COMMITTEE OF CONGRESS, MARCH 13th, 1848.

MR. PRESIDENT,—The very handsome tribute to Alabama to which we have just listened calls for some reply on my part.

I should be insensible too, sir, to generous emotions, if I could remain silent after the allusion which has been made to the state of which I am the only representative present by the very eloquent and distinguished gentleman (Hon. Harrison Gray Otis) to whose speech we have all listened with so much pleasure. If there were nothing else to make this evening remarkable—if we could forget that every state of the Union has her representative here—if we could forget the dignified character of that national mission which assembles us in this city—if we could overlook the number of other distinguished persons who are here this evening, the presence of that gentleman alone would impart to it a peculiar interest.

His illustrious career is already historical. He stands before us a noble impersonation of the great qualities which rendered the earlier period of our country's history so renowned.

Belonging to a younger generation, I think myself most fortunate in being present on this occasion; I have heard one whose fame long since inspired the wish to meet him, and whose eloquence gave him the

pre-eminence in Congress in those days when that was regarded as the highest distinction in this country. In his speech this evening he has shed light upon an eventful period in our history, and has shown that New England felt her full share of patriotic ardor even at the commencement of the late war with Great Britain.

He speaks of Alabama as she was when the savage roamed through her native forests, and when the beauty of her scenery might have induced the adventurous traveler to penetrate far into the green and pathless wilderness, or to explore her noble streams, if the Indian in his untamed ferocity had not driven him away from bowers hardly less beautiful than those of Eden.

If he were now to visit Alabama, he would find that the wilderness had been made glad; the Indian has followed in the track of the setting sun; civilization, wealth, and refinement would meet his view, and the gentleman would find himself welcomed to homes whose hospitality might tempt him to linger long under our Southern skies.

It is quite true, Mr. President, that I am strongly attached to the Union; my sentiments are not misunderstood by the gentleman who has done me the honor to refer to them; and I know, sir, that the people of Alabama are faithful to the Union.

A more patriotic people can not be found anywhere: they will stand by the government and the Constitution. With peculiar interests, it is but natural that they should exhibit some sensibility in regard to the legislation of Congress, and the spirit

manifested by other states ; indeed, they must have lost all revolutionary recollections if they did not watch with jealousy the encroachments of the government, and demand from it an ample protection for all their property and all their rights. They confide in the good faith of the people of the United States, and in the just action of the government, which, they trust, will never transcend the limits of the Constitution.

I think, sir, I may promise for Alabama that she will stand shoulder to shoulder with Massachusetts in upholding the Constitution and the Union. Massachusetts has been true to the Union throughout her whole history, and she will be loyal to it while her granite hills stand. How could she be otherwise ? She is covered all over with monuments which mark the spots where the battles of freedom were fought ; the blood of martyrs consecrates her soil ; and the American, of all future times, will tread her plains and visit her heights with such emotions as swelled the bosom of the Athenian when he stood upon Marathon or Thermopylæ.

This very city was the cradle of American liberty, and the convulsion which rocked it was the Revolution. Yonder harbor witnessed the first resistance of the American people to the tyranny of the British government.

That granite column, which rises in its noble proportions not far from the spot where we are now assembled, marks the place where American valor first resisted and repelled British troops.

But a little way from us is the spot where WASH-

INGTON rode out to take command of the army of the Revolution.

Faneuil Hall yet rings with the tones of indignant and heroic men, who defied the colossal power of Great Britain.

The house of Hancock yet stands, recalling the early struggles of that eventful period, and bringing vividly before us the man whose bold signature first graced the DECLARATION OF INDEPENDENCE.

The ashes of the elder Adams are mingling with your soil, and we have just borne the remains of his illustrious son to the family tomb at Quincy.

Nor is it in the past alone that we find Massachusetts has shown her loyalty to the country, and her fidelity to the Union. At this moment her sons are engaged in the public councils, and are emulating the noble example set them by the men of that great generation which has almost passed away.

To one of them especially is the country indebted for services to the Union, and that country has conferred upon him the proudest title which an American citizen can wear—DEFENDER OF THE CONSTITUTION. His argument in defense of the Union, made some years since in the Senate of the United States, in reply to Mr. Hayne, of South Carolina, who, with all the ardor and frankness of his nature, spoke for the South, and uttered an indignant and vehement denunciation of the government, which seemed to be controlled by the policy of the North, ranks with the noblest orations of ancient or modern times.

Never to the people of Athens, nor to the Senate of Rome, nor to the British Parliament, were nobler

words addressed. That speech will stand when the walls of the Capitol in which it was uttered have crumbled into dust, when the granite column on Bunker Hill is leveled by time, and when these proud states may no longer constitute a great confederacy. The sentiment with which that speech closes is the sentiment of the American people; they have learned it by heart; future generations will utter it with glowing patriotism and irrepressible enthusiasm; and every where throughout the wide-spread borders of the republic the great popular cry will be, in all times when liberty is in danger or the Union threatened with disruption, "Liberty and Union; now and forever, one and inseparable."

AMERICAN INDUSTRY.

A SPEECH DELIVERED BEFORE THE AMERICAN INSTITUTE AT CASTLE GARDEN, NEW YORK, OCTOBER 14th, 1850.

Mr. Hilliard then rose, amid loud applause. He said :

I FEEL myself honored, fellow-citizens, in being thus introduced to you by the venerable and distinguished President of the American Institute, who has so long devoted his talents and energies to the cause of industry, and the development of the resources of this great state.

And I feel myself honored, too, in being thus received by you, representing as you do the industry, the skill, the wealth, and the enterprise which are so rapidly advancing our country in civilization.

I come to you from a distant state—a state known to you mainly, so far, by its agriculture, yet not wanting in mineral resources, and already engaged successfully in manufactures. But, coming from that state to this emporium of commerce—this city which has already outstripped every city on the Continent of Europe, and which is destined soon to rival the great metropolis of England itself—coming to this city, I feel there are some considerations which bind us together in common sympathy.

I can, on the present occasion, when there is so much all around you to interest you, advert to but one or two of these considerations. The first of these is, that we belong to the same country; we are all

Americans; we are all citizens of one government. I come from a state washed by the waters of the Gulf of Mexico, and I am now in a city belonging to a great state washed by the St. Lawrence, and stand this evening in a building against which the waves of New York Bay break; yet the broad expanse which stretches between New York and Alabama, between your home and my home, is our common country. Every part of it—every plain, and mountain, and stream, and village, and city, all belong to us; and over the whole extent of it, the same great and beneficent political system spreads its majestic proportions.

The same flag that floats over your shipping floats over ours; the same historic recollections which warm your hearts warm ours; and the same future that has opened to your eyes has opened to ours. Diversities I know there are; great states, called by different names, there are; but they are not hostile states. No fortress frowns upon the streams which mark their boundaries; it is but an extension of the same family; they have spread from the Atlantic shores to the Mississippi—to the Rocky Mountains—to the Pacific coast, but they have borne with them every where the same religious and political institutions.

As Americans, therefore, I know that in this we shall sympathize with each other—we have a common country; common in its origin, common in its history, and common in its destiny. There is another consideration to which I will advert. It is this: We are all alike interested in the success of American industry; we feel we are pledged to this great cause.

The industry which belongs to the North interests us of the South; and, gentlemen, I say to you, standing here as a representative in the Congress of the United States, in my judgment, the common government ought to grant a wise, moderate, and steady protection to American industry.

I believe that agriculture, the first great employment of man—the noblest employment of man—agriculture, which takes one from his fireside into the fields, where with the plow he turns the soil to the face of heaven, and casts the seed in with his hands—agriculture should enjoy the support of the government, whose protection should also be equally extended to the mechanic arts. Let the artisan who labors at the forge or in the work-shop feel that his government cares for and protects him, and he will feel an interest in the prosperity of his government.

I regard this exhibition as one of the noblest displays of American character. It is like America!

Some years since, when in Europe, I witnessed an Exhibition of Industry in Paris; it was composed chiefly of articles of beauty and grace. Every where the eye rested on some article marked by exquisite skill. Every thing attested the perfection to which art had been carried in some of its branches.

But when I entered your Fair to-night, I found that you are employed chiefly in the production of useful articles. I find here the plow, the scythe, the axe, and among these the manufactures of our looms. Of all the branches of human industry and specimens of excellent skill, the great elements I see are those of power—mighty industry, spreading happiness over the land.

In former times, wealth and industry were expended for the benefit of the few. The head of a powerful dynasty, one who had his retainers, enjoyed chiefly the result of their labors. It is not so now. The skill of the mechanic, the power of the artisan, and the wealth of the capitalist, these are now employed for the benefit of the masses; not to make the great greater and the rich richer, but to spread comfort among the masses, to make their firesides smile with happiness, and their children rejoice in the home of industry.

This is the great picture which America presents—industry diffusing wealth among the masses. It is a glorious spectacle of wide-spread happiness. The tendency of our institutions is to diffuse wealth rather than to concentrate it in a few hands, and I rejoice that it is so. But understand me; wealth is entitled to protection as well as industry. I have no sympathy with that class of reformers who would strip the wealthy of their possessions, and scatter them abroad in the vain hope of augmenting the sum of human happiness by destroying the great principles which bind society together. Far be it from me, gentlemen. I would have every man enjoy his individual property; I am for that sort of industry which spreads wealth among the laboring classes, and elevates them gradually to the scale that rises above them.

Government is constituted for the good of those who support it; no government can be stable or powerful which is not administered for their benefit. I find that I have announced a great political doctrine; it is one which history teaches, and future gen-

erations will write it upon the face of the whole earth. No government ought to stand which overlooks or neglects the welfare of its people. The American government, the greatest popular government which the world has ever beheld, is established for the protection of its people in all their rights, at home and abroad. When the American citizen quits his own shores, he looks to his government for protection against the tyranny of other governments; upon the high seas he feels, in the flag that floats over him, ample security, because the whole power of America goes with that flag; and, wherever he may go in his travels, he feels that his far-distant home guarantees his safety.

But, gentlemen, this is not the only object for which our government was established. The citizen must be protected in the enjoyment of the fruits of his industry. The government, in conducting its great operations, must not overlook the individual prosperity of its people, or sacrifice their personal welfare merely to advance the glory of the state. It should, in its action, foster the labor of its people. I do not mean that it should shower benefits upon the indolent; far from it. We raise our revenue by laying imposts. Now, are we to do this for the purpose of raising the greatest amount of revenue, and thus increase our treasury? Far from it. We are so to lay them upon foreign imports as to discriminate in favor of our own industry; not so as to keep out the foreign article, but to do what shall result to the benefit of the producer at home. While we thus raise an ample revenue, and carry on the government,

we shall make the system tributary to the prosperity of the whole country—the North and the South—and to all classes—the manufacturer and the planter.

And now, gentlemen, allow me to say, speaking to you as a Southern man, that the diversified interests of our great country must all be respected. There must be no war made by the South upon the property and the industry of the North, nor must there be any war made by the North upon the property and the industry of the South. I appeal to you, Mr. President, distinguished as you have been in public life, personal character and mind, to hear me, when I utter this great truth. We must make no war upon your property and industry, and you must make no war upon ours. This is the great conservative element of our Union; it is only upon this grant that we can hold together as a general government. We are one people, with a common origin; our interests, however diversified, are yet kindred and dependent; our history and our destiny are the same. While we understand each other in this respect, there is no difficulty in upholding the government. I am a Southern man by birth, by education, by innumerable and indestructible ties; my ashes will mingle with Southern soil; but my heart beats with exultation, which I should attempt in vain to express in words, when I survey the growth, the prosperity, and the rising glories of this whole country. Your resources, great as they are—your wealth, teeming as it is—this magnificent display of mechanic art—none of this awakens within me any jealous or unworthy feeling. I rejoice in your prosperity; I would cheer you in the bright

career which opens before you ; all this constitutes a part of the power, the glory of my country ; and I look forward to the day when, in the midst of the great agricultural regions of the South, a varied industry will appear to add new embellishments and new riches to a region for which Providence has already done so much. Our manufacturing establishments are multiplying, and will, I hope, soon rival yours. My own state is making rapid progress in this way. It is with this feeling that I greet you this evening—an American citizen addressing American citizens !

I desire the Union of these states to stand through all coming time. On the occasion to which my honorable friend the president has referred, I said in the House of Representatives what I am happy to say here : “I have never looked to a destruction of the government as a remedy for existing evils. Rival states would soon become belligerent states, and armies would be employed to decide the supremacy between them. The flag that floats to-day over every part of our wide-spread country, from the banks of the St. Lawrence, in full view of the British possessions, to the shores of the Pacific, where it catches the eye of the navigator returning from Asia, and from our ships, which bear it upon all the waters of the earth, is known and honored as the ensign of a great and powerful republic. It is associated with all the glories of our past history ; its folds glitter before the eyes of mankind as the sign of hope and universal freedom ; and I trust that it will forever fly over states free, prosperous, and kindred ; not divided into

petty principalities or feeble leagues, but united, as they are to-day, under a government the freest, the happiest, and the noblest upon which the sun has ever shone."

This sentiment I adhere to; here and elsewhere I proclaim it; I desire to see the UNION which binds these states STAND. To perpetuate it, we must be just to each other.

We occupy a great central position; Europe lies on one side of us, Asia on the other; and if we hold together as one people, no glass is broad enough or clear enough to read the horoscope which the future opens before us. Here agriculture will yield its exhaustless treasures; here commerce will bring the products of every clime; mechanic industry will achieve its greatest triumphs; the arts will produce their noblest works; intellect will accomplish its highest labors and exhibit its grandest discoveries; civilization will here make its abode, and surround itself with every thing which can adorn and brighten human life.

Let us, then, stand by the Constitution. The enemies of the Constitution are the enemies of the government—the enemies of the country. The government can not exist unless the Constitution is to be obeyed. If some of its provisions seem to bear hard on you, you must remember that some of its provisions seem to bear hard on us. The Constitution must be respected; its authority is supreme. We must bear and forbear. When a crisis comes which appeals to our sectional sentiments—a crisis which would array the North against the South—let us rekindle our

patriotism, by going back to the scenes in which the great and the good men took part who formed the Constitution, and we shall learn from them to deal with each other as members of the same great family, and to cherish a patriotism broad enough to embrace our WHOLE COUNTRY.

I thank you, fellow-citizens, for your kind indulgence in bearing with me, and for the very cordial manner in which you have responded to the sentiments which I have ventured to express.

THE AMERICAN GOVERNMENT.

A SPEECH DELIVERED IN THE MUSICAL FUND HALL, PHILADELPHIA,
JANUARY 3d, 1851.

ON the 3d of August, 1492, three small ships in the port of Palos, on the coast of Spain, were seen to spread their sails to the winds, and direct their course to the west. They bore Christopher Columbus and his companions, who, leaving the shores of Europe, sought a new world. For eight long years genius had struggled against discouragements; Genoa, France, England, and Portugal had all rejected the earnest appeals of that great navigator, whose mind was filled with the sublime conception of a spherical and poised world. Isabella of Spain at length gave him the means for entering upon his great voyage; and, committing himself to the guidance of Him who made the sea, he called up from the midst of the wide waters this continent, and presented it to civilized man. Full of mingled anxiety and hope—contending with the fears of the weak, and the opposing counsels of the ignorant, who began to murmur that they were about to be sacrificed to the wild dream of an ambitious adventurer—compelled to keep two reckonings of his voyage, the true one privately, lest his crew should discover the progress they were making in unknown seas—perplexed himself at observing, for the first time, the variation of the needle, as if he were passing away from the ordinary laws of the physical

world, that bold navigator still spread his canvas with a steady hand, and kept on his course.

By the 10th of October the consternation of his crew rose so high that they could hardly be restrained from breaking forth into open mutiny. They exclaimed against him as a reckless adventurer, sweeping into the dangers of a boundless sea, and bearing them to a returnless distance from the shores of Europe. Columbus was unmoved; he trod the deck with a firm step, and his eye swept the horizon. The very next day after quelling his insurgent crew, when the evening prayer was over, he ordered a careful look-out for land, and remained himself till a late hour on the high deck of his vessel. He fancied that he saw lands and lights. Was it an illusion, or was a world heretofore unknown about to rise upon his vision? At two o'clock in the morning, a gun was fired from the foremost ship as a signal that land was seen. That gun announced to the world the discovery of a continent.

The discovery was made at the *right time*. Until that hour, this continent had been kept hid away from the Old World. Parts of Asia, Africa, and Europe were known to the ancients, and modern nations had spread themselves over those continents. The time had come, in the order of Providence, for bringing America to the view of the civilized world. Great inventions and improvements in the arts had just been disclosed, and a grand event in the moral world was at hand when this new and vast continent rose up before Europe. Nine years before its discovery, MARTIN LUTHER was born. Thus the world saw

a new continent brought to light at the very time when the enfranchisement of mind began. Who can measure the extent of the influence which these two events, the birth of Martin Luther and the discovery of America, have exerted upon the human race? The vast extent of America afforded a place of refuge for the persecuted advocates of civil and religious liberty. Sheltered within its deep wildernesses, they could worship God, and they cultivated the great principles which afterward found so glorious a development in the Revolution which emancipated the colonies planted by Great Britain, and gave a new impulse to the cause of human liberty throughout the whole world.

In spreading out the map of the world, we observe that it is divided into certain great parts. Of these, the American continent is one, and it is set apart from the other portions of the earth by oceans. Providence has given to us the fairest portion of the northern division of this great continent. Our inheritance stretches through the temperate zone, and is bounded by the two great oceans of the world. Our grant is like that of the patriarch: "Lift up, now, thine eyes, and look from the place where thou art, northward and southward, and eastward and westward; for all the land which thou seest, to thee will I give it, and to thy seed forever."

Flying from intolerance and persecution for the religious and political opinions which they held, men who comprehended and loved liberty sought in the undisturbed forests of North America a refuge and an abode. England sent out colonies, and they brought with them the high qualities of the race which has

led the way in spreading the great principle of freedom—freedom in religion and freedom in government—over the world; a race which has converted an island, which formed the remotest outpost of Roman conquests, into the seat of an empire more extensive than that of Rome in its proudest days; which has not only belted the globe with its fortresses, and sent its flag into all the seas of the earth, but whose military glory and maritime power, surpassing as they do any thing which the ancient or modern world ever beheld, are less objects of our admiration than that high civilization which they serve to diffuse. These states grew up out of colonies planted by a Protestant free people. Their whole history may be written in a single sentence: they were settled by Englishmen and Protestants. An attempt, on the part of England, to disregard, in the government of the colonies, the principles which were so much prized at home, excited resistance. Blood was shed; battles were fought; a revolution was organized; independence was declared; and the earnest men who proclaimed it, pledging to each other their lives, their fortunes, and their sacred honor, fought through the protracted war which followed and established it. Then came the task of forming a government. Separated from the systems of the Old World by the Atlantic—conscious of their responsibility—profoundly acquainted with the events of history, and with its ancient and modern illustrations all before their eyes, the men who undertook the task of erecting a new government brought to it the noblest qualities. They presented a sublime spectacle. History describes upon none

of its pages such a scene. Other governments had grown up under circumstances whose imperious pressure gave them their peculiar forms, and they had been modified, from time to time, to keep pace with an advancing civilization; but here was a government created by men emancipated from all foreign influence, and who, in their deliberations, acknowledged no supreme authority but that of God. States, already republican and independent, were formed into a confederation, and the great principles of the government were embodied in a CONSTITUTION. The Union then established has ever since existed. Under its protection, we have grown from weakness to strength. Our wealth, our population, and our power have steadily advanced; and to-day we hold an undisputed empire over a territory stretching from the St. Lawrence to the Gulf of Mexico; and the sparse population which, when the government was formed, fringed the Atlantic coast, has spread itself westward, the Rocky Mountains have been passed, and the laws, the letters, the traditions, and the religion of the colonists are seated upon the shores of the Pacific. Our progress has more than transcended that of the fabled god of the ancients, who, beginning his morning journey in the east, drove his flaming chariot through the sky, until he dipped his glowing axle in the western waves. Behind us have sprung up all the blessings of a high civilization; nor will they disappear beneath the waves of that placid ocean which we have reached in our march. There they will grow and flourish, and their kindling lustre will spread over the Polynesian Islands, and gild the distant shores of

Asia with a richer and purer splendor than they have ever enjoyed before. In thus glancing at the history of our government, we do not go back to a fabulous antiquity; we do not trace its origin to an age covered with mists and shadows; we seek no Egerian cave to find its source; no early barbarian usages mix themselves with its principles. The clear light of day rests upon it. We know the men who formed it; we grasp the Constitution which they gave us.

I purpose at this time to consider the relations between the government and the people of the United States; to inquire into the rights which the republic guarantees to the citizen, and the duty which the citizen owes to the republic.

The great principle which lies at the foundation of the government of the United States is that which declares the people to be the source of all political power. This doctrine is unknown in systems where the supreme authority is in the hands of a monarch. In the most liberal monarchies, concessions which could no longer be safely withheld have been reluctantly granted to the people. The power of the crown resists the power of the masses. All power which has not been expressly granted away belongs to the sovereign; but, in our system, the precise reverse of this is the true doctrine; the supreme power belongs to the people, and they have created and defined the restraints upon popular liberty. The structure of our political system is peculiar—the world, in its whole history, does not furnish a single parallel. Sovereign and independent states are united in a confederacy which wields a few great powers af-

fecting both our foreign and domestic relations, while the state governments, or the people themselves, hold the entire authority, which has not been conferred upon the federal government. This arrangement provides every safeguard for personal liberty, while it secures national strength. These states are not what Montesquieu styles "an assemblage of societies" allied for certain general purposes; they have established a government invested with sovereign power for the full exercise of the functions conferred upon it. But our political system is not a consolidated one, confiding all power to the general government. As a despotism is the simplest of all forms of government, conferring absolute power upon a single individual, ours is the most complex of all forms, subdividing, balancing, and checking the powers vested in its several parts. Alexander Hamilton, "*clarum et venerabile nomen*," has sketched the character of our government in that clear and philosophical style for which he was so distinguished; and I quote him the more freely, for he will not be suspected of conceding too much to the doctrine of state sovereignty: "An entire consolidation of the states into one complete national sovereignty would imply an entire subordination of the parts, and whatever powers might remain in them would be altogether dependent on the general will. But, as the plan of the Convention aims only at a *partial* union or consolidation, the state governments would clearly retain all the rights of sovereignty which they before had, and which were not, by that act, *exclusively* delegated to the United States. This exclusive delegation, or, rather, aliena-

tion, of state sovereignty would only exist in three cases—where the Constitution in express terms granted an exclusive authority to the Union; where it granted, in one instance, an authority to the Union, and, in another, prohibited the states from exercising the like authority; and where it granted an authority to the Union to which a similar authority in the states would be absolutely and totally *contradictory and repugnant*.”

Here, then, it will be perceived, are some of the peculiarities of our political system: a federal government is created, its powers are defined and limited, and, as it possesses no inherent authority, it derives all which belongs to it from grants expressly made to it. The tenth article of the amendments to the Constitution is in these words: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the states respectively, or to the people.”

Our government rests upon the Constitution; that is supreme—it binds the states—it restrains the people—it controls Congress—it limits the authority of the executive. This is the grand feature in our institutions—all power which the people have consented to delegate is clearly defined in the Constitution. The people are the source of power, but the people do not administer the government. The popular will is only to control the action of the government so far as it may make itself felt through the forms which the Constitution has prescribed. Here we recognize the broad distinction between a republic and a simple democracy. In a republic like our own,

where the representative principle is adopted, the people consent to commit the administration of public affairs to certain magistrates, chosen by themselves, in accordance with the supreme laws. In a democracy, such as history exhibits as existing formerly in Greece, the people are the government. Liberty, in such a state, is always in danger; it has no ramparts for its protection against the wildest passions of the multitude. It has been well said, "The ancient democracies, in which the people themselves deliberated, never possessed one feature of good government; their very character was tyranny, their figure deformity." The Constitution—not the will of a majority—is the supreme law of the United States. A more disastrous political condition could not be imagined than that to which we should be exposed if the restraints which the Constitution imposes were withdrawn. The wildness of party, the madness of fanaticism, the selfishness of sections, aided by powerful geographical combinations, would be brought to bear upon the legislation of Congress. Against these evils we are protected by the clear definition of the powers of the several departments of the government which we find in that great instrument whose silent power guides and restrains. Our government is one of consent, not force. Like the planetary system, it is kept in harmonious action by the great law of universal attraction. Yet, while it rests so lightly on those whom it protects, it is the strongest government on earth. Upon every sea where our flag is seen, our power is acknowledged. The stars which glitter upon its folds announce to

the whole world the union of free states—states which, in their very infancy, cast off the dominion of the most formidable power on the globe—states which are growing beyond all example in numbers and resources—states which already surpass every other nation in all the elements of a high civilization, and which promise to realize, in the future which opens before them, the noblest hopes which the friends of mankind have ever dared to indulge. Let this Union stand through all the cycles of coming time. Then will our country fulfill the noble prophetic description of Archbishop Cranmer :

“Wherever the bright sun of heaven shall shine,
Her honor and the greatness of her name
Shall be, and make new nations ; she shall flourish,
And, like a mountain cedar, reach her branches
To all the plains about her.
Our children’s children shall see this,
And bless Heaven.”

In glancing at the relation which the American citizen bears to his government, we must not overlook the great fact that the civil liberty which he enjoys is not dependent upon the character and disposition of those who may happen to be in power, but is protected by muniments which can not be borne down, and which guarantee to him the undisturbed possession of his noble inheritance through every change of administration. An absolute monarch, of liberal views and amiable temper, may administer his government for the good of his subjects, but the nature of the government affords them no security against tyranny under some future ruler. There is no political truth in the celebrated lines of a great English poet, Pope—

"For forms of government let fools contest ;
Whate'er is best administered is best."

Every people who comprehend liberty will set up barriers for its protection against the encroachments of despotic power, and their value has been illustrated in every generation since the barons of England, at Runnymede, wrested from John the Great Charter.

The great fundamental principle of our institutions, which declares the people to be the source of power, at the same time opens to all the avenues to distinction and office. Poverty and humble birth are no obstacles in the way of worth and talents. In Rome, Cincinnatus was called from his plow to the supreme power, and in America the humblest citizen may be elevated to the highest station. In the great contests of life, a very large proportion of our most eminent men have risen to distinction from humble families. Truth, manliness, uprightness, and energy are the great qualities which make themselves felt in our institutions. It is a beautiful illustration of their power to stimulate exertion and encourage merit, to see one who owes nothing to birth rising from his humble fortunes to the highest trusts and the noblest stations of the republic, asserting his claims to distinction without the aid of heraldry, and by his own great qualities vindicating his right to the honors of his country. We confer neither stars, nor garters, nor ribbons ; but we do confer the noblest earthly reward which can be realized, next to our own consciousness of having done well, in giving to those who have served their country faithfully the unbought thanks of millions of freemen. It is theirs

“The applause of listening senates to command,
The threats of pain and ruin to despise—
To scatter plenty o’er a smiling land,
And read their history in a nation’s eyes.”

The American citizen enjoys the unrestricted right of worshipping God in any form that he may prefer. In the beautiful language of the prophet, “We sit every man under his vine and under his fig-tree, and none make us afraid.” Here every creed is tolerated, and religion invites into her temples every sect. They worship side by side, as in the ancient encampment of Israel, each tribe distinguished by its own banner, but every tribe looking up to the living God for guidance and protection. Liberty of conscience is ours in the broadest sense, and it is a liberty precious beyond description. Who shall attempt to fix its value? Let the noble army of martyrs rise up and say what it is worth. Let those who died in the battles fought to maintain it answer. Let the victims of the dungeon and the Inquisition come up and say what it is, before we write it down as a small thing. Let the ship’s company, who, with the Bible in their hands, ventured in the frail *Mayflower* across a wide and stormy sea, and, escaping from persecutions on land and dangers on the deep, stood cold and faint upon the shores of a wide unknown world, come up and speak to us. We can almost hear their solemn appeals to us to guard well this great right. By the memory of the past—by all that we hold dear now—by the glorious hopes of the future, we pledge ourselves to be faithful to the great trust.

After this rapid survey of the rights which the republic confers upon its citizens, I purpose to inquire

for a moment into the duties which the citizen owes to the republic. The right of self-government devolves upon those who enjoy it the duty of studying the character of their institutions. Where every one exercises the lofty privilege of deciding by his vote what laws shall govern his country, and what magistrates shall administer them, he owes it to himself, to his children, to his country, and, I may say, to mankind, to study and to comprehend the questions which affect the great interests committed, in some degree, to his keeping. Under our government, ignorance is crime. Of all knowledge it may be said, in a good sense, "its entrance giveth light." Let it be spread among the people—let it be sent to the laborer where he is toiling in the fields—let it cheer the artisan in his daily industry—let it light the home of every man as he enters it in the evening, and gild it, however humble it may be, and the country is safe. We all owe a duty to our race; "no man liveth to himself." Selfishness has no place in a popular government like ours. Every word of truth that is uttered helps the cause of mankind; every great thought strengthens good government. Nothing that is good is lost; its immortality is sure; the vibrations of sound, we are informed, do not cease at the lips of the speaker, but spread themselves through the air until they encircle the globe; and thus the voice of truth swells with increasing volume as its witnesses continue to plead in its behalf, until its tones shake the earth, and find an echo in heaven. Every citizen of the United States feels himself invested with the majesty of freedom; his voice is heard in the councils of the nation, his

vote decides the measures of the government. Ought he not to be enlightened?

In a free government there must always be parties, and there should be. It has been said that "eternal vigilance is the price of liberty;" and nothing so stimulates vigilance as the conflicting opinions of parties. But we should ever remember that the claims of our country are above the claims of party. So far from lending ourselves to schemes which threaten the prosperity, the safety, or the glory of the nation, we should not hesitate to arrest them, nor to plant ourselves in opposition even to our political associates when they seek to promote them. At such times, we ought with true courage to speak out, and to put every thing at stake for the cause of truth. A more humiliating spectacle is never exhibited than that which we see in a man endowed with great parts who loses sight of noble objects, and sacrifices to party faculties which God gave for the good of mankind. Nor can we withhold our admiration from the statesman who has the courage to breast the current when it rolls about him deep and strong. Such men are like islands in great streams, covered for a time with mire and the confused deposit of the turbid waters; this only serves to increase their fertility, and the rich and lofty growth which is produced upon such soil at once attests their strength, and enables them to resist the violence of a current which, without such obstacles, might only carry destruction in its course. A party, in the best sense of the word, is a great political body, holding liberal sentiments and aiming at patriotic objects. Such a body is entitled to respect; but a

faction, whatever may be its numbers, is contemptible.

The American citizen should never forget that all questions which come up in the action of the government are to be settled by the moral power of public sentiment. In our system there is no room for violence. The majesty of the law is ever present, silent but mighty. Every means of controlling public sentiment may be employed; opinion may find utterance in every shape; the press is free; popular meetings may assemble in any number—all that can be accomplished by persuasion, by appeals the most energetic, by all the instrumentalities of moral power, may be brought to bear upon political questions. But force, brute force, is never to be thought of. So far the history of our government has nobly vindicated the principles of the government. It was not to be supposed that a grand popular system like our own could go forward without encountering some obstructions—shocks; convulsions were to be expected; but these have so far served only to demonstrate its strength. The popular enthusiasm has sometimes risen high; the contending surges of public opinion have dashed against the Constitution; the noise of the waves and the tumult of the people, thundering against the barriers of law, have threatened to break beyond all bounds; but when the great question which called up the commotion has been decided, what a calm has succeeded! How soon has tranquillity overspread the whole surface which was so lately agitated! The ocean sometimes exhibits a scene of wild sublimity. This great highway of nations, de-

signed to enable the inhabitants of widely-separated climes to hold intercourse with each other, is sometimes seen in majestic repose, whitened with the sails of a busy commerce; but when swept with storms, and the resounding waves threaten to swallow navigation up, the scattered fleet, with rent sails, is seen flying before the fury of the tempest, and to the eye of the mariner the sea presents but a wide picture of hopeless confusion and terror. Yet, when the serene sky and tranquil deep once more return, the seaman spreads the adventurous canvas over his dismasted ship, and the sea-bird stretches his wings over the subsiding billows.

The character of the American government must be what the character of the American people is; it is idle to hope for any great elevation in the one, unless the other be enlightened and pure. I can not forbear here to borrow the language of the noble ode of Sir William Jones:

“What constitutes a state?
 Not high-raised battlements or labored mound,
 Thick wall, or moated gate;
 Not cities proud, with spires and turrets crown'd;
 Not bays and broad-arm'd ports,
 Where, laughing at the storm, rich navies ride;
 Not starred and spangled courts,
 Where low-brow'd baseness wafts perfume to pride.
 No; men—high-minded men—

* * * * * * *

These constitute a state;
 And sovereign law, that state's collected will,
 High over thrones and globes elate,
 Sits empress, crowning good, repressing ill.”

The American statesman owes a high duty to his country. Relying, as he must do, for success on pop-

ular support, there is throughout his career a powerful temptation to betray his trust—to surrender his independence to the will of others—to court favor by yielding up his own convictions to the voice of the multitude. This temptation he must resist; manliness and a steady adherence to truth, whether in favor or out of favor, must mark the course of every man who will not lose his own respect. Popularity may be bought at too high a price. Who can withhold his admiration from the sentiments of an eminent English judge, uttered in the midst of a fierce popular excitement? “It is true,” said Lord Mansfield, “I love popularity, but it is that popularity which follows, not that which is run after; the popularity which, sooner or later, is sure to crown the pursuit of noble ends by noble means.”

If there be one quality which the statesmen of our country at the present time ought to cultivate above all others, it is independence; not a defiance of the ascertained will of the people, but a manly, steady adherence to principle through good report and evil report; a stout defense of right through sunshine and through storm; holding the lofty ground of truth against all assailants. This independence every man should cultivate who aspires to serve his country.

What nobler spectacle can be looked upon than that which is exhibited by a statesman who plants himself in defense of a great principle, and courageously meets its assailants, as Prince James did when he saw the rising band of Roderick Dhu gathering about him, and in proud indignation exclaims with him,

“Come one, come all ; this rock shall fly
From its firm base as soon as I !”

History, the chronicler of the past, has preserved for the undying veneration of mankind the names of those who, in the midst of scenes that try men, have risen above the influence of objects which would have been controlling with inferior souls. Out of the illustrious annals of ancient and modern times, we shall select but two examples :

Gustavus Adolphus, called while yet a young prince to lead the forces of the Protestant League, when sceptred monarchs combined to persecute and hunt down those who threw off the authority of the Church of Rome, invaded Germany, declaring in advance that the single object which led him to march into the territory of another prince was to vindicate the right of conscience in the great matter of religion. He met and drove before him the ablest generals who could be found to oppose him ; even Tilly, at the head of the imperial army, could not stand before him. The Emperor Ferdinand, alarmed at his impetuous and restless advance, sent to him proposals for peace ; he was ready to grant him the greatest personal advantages ; he offered to add Pomerania to his possessions ; but Gustavus Adolphus replied that he had invaded Germany, not for his own aggrandizement, but for the protection of his fellow-Protestants. Nobly refusing to listen to any terms but such as would secure to them the rights of conscience, he gave up his life for the great cause which he had espoused ; he opened his last battle joining those about him in singing one of Luther's hymns ; his

fearless exposure of his person was fatal to him, and, falling under the banner which he had borne with such self-sacrificing ardor, the very indignation which his troops felt in seeing such a leader slain won a brilliant victory for the Protestant cause.

But our own country has exhibited the noblest example of rare and great qualities in the person of WASHINGTON. Look upon his picture, and you are ready to exclaim with Hamlet,

“See what a grace was seated on this brow :
Hyperion’s curls ; the front of Jove himself ;
An eye like Mars, to threaten and command ;
A station like the herald Mercury,
New-lighted on a heaven-kissing hill ;
A combination, and a form, indeed,
Where every god did seem to set his seal,
To give the world assurance of a man.”

His qualities were indeed rare and great. The darkest day that frowned upon the fortunes of his country found him as steady in its support as the brightest—firm in the presence of danger—undismayed by reverses—full of resources when overwhelmed by numbers—moderate in the moment of victory.

Called to administer a government whose existence began amid the misgivings of friends and the confident prediction of failure on the part of enemies, he conducted it with such signal wisdom and such patriotic fidelity that distrust at home gave place to confidence, and the world saw with wonder a great republic display its grand proportions on the Continent of America. Relinquishing with real satisfaction the power which he had consented to hold, and which he had wielded for the good of his country, unbiassed

by a single selfish consideration, he withdrew to the home which he so much loved. There, upon the banks of the Potomac, he engaged in the simple and unambitious agricultural pursuits which gave him so much pleasure, shedding about him a serene light, until he sank in death like the sun dropping his disk behind a world-wide horizon. A noble self-control and a sublime sense of duty were manifested in his whole life. The ordinary objects of ambition were in his eyes little and mean. Compare him for a single moment with the Macedonian conqueror, who gave himself up to unbounded lust of conquest, and, standing on the verge of his dominions, wept that there were no other worlds within reach of his arms; or with Cæsar, who, yielding to that infirmity of noble minds, the love of power, fell in the very senate-chamber under the avenging dagger of Brutus; or with Napoleon, whose brilliant but desolating career was checked at the moment when he had achieved his highest triumph, and he who had kept the nations in awe was sent a prisoner to an island far from every field of his glory, and where the dashing billows of the ever-heaving sea mocked the surges of his own passions, and how immeasurably above them all does Washington stand out in the clear light of immortality! American as he was, his fame is regarded as the inheritance of the human race. Duty, the faithful performance of every task to which he was called—this was the great aim of Washington's life. Precious be his memory! Our country gave him birth—our country holds his ashes, and we would not exchange that simple tomb at Mount Vernon for the

monumental marble of all the world besides. By his great example let the American statesman form his own character, and by a faithful discharge of every duty to his country, prove himself worthy to be a countryman of Washington.

The republic confers upon the citizen the noblest privileges, and he owes to it the highest duties. In the immortal oration of Cicero against Verres, he describes with indignation the violation, on the part of the prætor, of the rights of a Roman citizen—a name which brought up at once the majesty of Roman law. The humblest citizen of the United States may claim a prouder name and invoke a nobler law. The republic should find in him a spirit ready to serve it, willing, if need be, to die for it. He should be prepared at all times to uphold its authority. As our government is not one of force, but of consent, it expects from all its citizens a ready obedience to law. The Constitution is the strength of the government and the bulwark of personal liberty; it must be upheld. He who violates it is false to his country, to himself, and to his race. It can only be preserved by cultivating a profound regard for its spirit. A latitudinarian construction is as fatal to it as open violence; it is but a choice between poison and the sword. Some of the difficulties which are experienced in administering the government arise from its complex character. To the general government certain enumerated powers have been committed; these, upon a fair construction, are to be employed in good faith for the general welfare: the states have reserved great rights; these are to be sacredly observed. We

are exposed to two dangers—centralization, disunion. The general government, by transcending its authority, may grow up into a colossal overshadowing power; the rights of the states may be disregarded; legislation may be corrupted, and Congress, yielding to a system of unscrupulous plunder, may employ its functions to enrich one section of the Union at the expense of the other. If so, the government, created with limited powers, resting upon compromises, and designed to advance the welfare of these states, will grow up into a vast consolidated empire, under whose shadow liberty will perish. Or dissensions may spring up, alienations may ensue, and a republic composed of states inheriting the great principles of liberty from an ancestry who comprehended their priceless value, inheriting traditions the most glorious, wielding a power greater than that of Rome in its palmy days, securing to the citizen at home the fullest enjoyment of civil liberty, and spreading a flag for the protection of his person and property, whose sanctity is respected wherever it is seen in every part of the world—this republic, the noblest example of a free state upon which the sun ever turned his burning vision, may be broken asunder, and the states, which to-day exhibit such a wide picture of peace and prosperity, may be plunged into wars desolating, bloody, and hopeless. We must stand by the Constitution; it is the great work upon which the government rests; at its base the wildest billows break harmlessly, and the proudest hostile armaments, wrecked and shattered, will be but trophies recording its power and its glory.

The history of the republics of antiquity sometimes awakens the apprehension that our system can not endure. But, leaving out of view the structural difference between those governments and our own—a difference upon which we will not farther dwell at this moment than to say that, in the great states which extended their power beyond their original limits, the dominion was spread by conquests, while the extension of our power has been a natural and spontaneous growth; our people have spread themselves over our wide domain, bearing with them the arts of peace, and planting the institutions of the country as firmly on the shores of the distant Pacific as they were originally planted upon the shores of the Atlantic—leaving this out of view, and not staying to point out another feature peculiar to our government, that of a confederation of states, we possess a conservative element wholly unknown to them, the Christian religion. This binds, elevates, enlightens, and purifies our whole system. The framers of our government wisely determined to establish no political connection between Church and state, but yet Christianity was recognized in every department of our government. All who hold the offices of the country are called on, before undertaking their trusts, to bind themselves, by the awful sanctions revealed in the Word of God, to support the Constitution of the United States. Who can measure the extent of the influence which the religion of Jesus Christ exerts over the sentiments of the American people? The spread of religion strengthens the government. Christianity is opposed to tyranny in every form; it

addresses our race without reference to birth, or fortune, or latitude, or climate, and it exalts the whole family of man into a great brotherhood. An eminent man of our own country, the late Mr. Grimké, of South Carolina, says "that the New Testament is the only genuine moral constitution of society, and its principles the only safe and wise foundation of civil and political institutions."

When the Convention sitting to form the Constitution found itself, after four or five weeks' consultation, perplexed, having searched ancient history for models, and viewed modern states all over Europe without being able to find any thing suitable to the circumstances of our country, Franklin proposed to make a humble application to the Father of lights for illumination, saying that the longer he lived the more convinced he was of the truth "that God governs in the affairs of men; and if a sparrow can not fall to the ground without his notice, is it probable an empire can rise without his aid?" The proposition prevailed, and the Convention reached, under the divine guidance, that fortunate termination of its labors which history records. Washington habitually employed divine guidance, and in his Farewell Address to his countrymen he left it as his solemnly-recorded sentiment that morality is essential to the success of the government, and that morality can not exist without religion for its basis. Let us revere the Christian system as essential to our temporal prosperity and to our immortal hopes. If the American people, comprehending in this spirit the rights which the republic confers on them and the duties which they owe to

the republic, prove faithful to their great trust, the illimitable future which opens upon our country will be glorious. It will exhibit a picture of power, of grandeur, and of freedom far transcending any which the world has yet produced; we shall realize the noble vision which filled the mind of an English writer: "The possible destiny of the United States of America, as a nation of two hundred millions of freemen, stretching from the Atlantic to the Pacific, living under the laws of Alfred, and speaking the language of Shakspeare and Milton, is an august conception." Let us be true to ourselves; let us preserve the Union, and we need not yield to the apprehensions which some express that our political system, so new and complex, will encounter the disasters which have overthrown the republics of antiquity. These gloomy predictions, uttered by those who see so many clouds resting on the future, and who have no faith in the stability of human institutions, may well be disregarded while we turn to the beautiful and philosophical remark of Edmund Burke, which occurs in one of his letters on a regicide peace.

"I am not of the mind of those speculators who seem assured that all states have the same periods of infancy, manhood, and decrepitude that are found in individuals. Parables of this sort rather furnish similitudes to illustrate or adorn than to supply analogies from which to reason. Individuals are physical beings; commonwealths are not physical, but moral essences."

We are yet in the freshness of our youth; our country, the latest born of the great nations, is like

the youngest daughter of King Lear, the fairest of the sisters :

“ Ah ! mayst thou ever be what now thou art,
Nor unbesseem the promise of thy spring.”

The horoscope which shone so resplendently over thy birth, O my country, announced a glorious destiny. This day witnesses its grand fulfillment. Berkeley's vision, revealed in poetic measures, is fully realized—

“ Time's noblest offspring is the last.”

A powerful nation, in the full vigor of her youth, unfurls the banner of freedom, and its mighty folds float over a continent ; thrown out at first against a stormy sky, and in defiance of tyrants, it is bathed to-day in the light of peace ; the eyes of all mankind are fixed upon it as the sign of hope. Shall it be rent asunder ? Shall its stars be quenched and its folds droop ? Shall it live in the memory of mankind only as the sign of fallen power and departed glory ? No ! No, let it float forever, the standard of a republic the proudest, the happiest, the greatest which the world has ever beheld.

Let the sun, as he rises out of the Atlantic wave, gild it with his morning beam ; let him throw his parting splendor upon it as he sinks beneath the placid waters of the Pacific, its gorgeous folds still streaming with undiminished lustre over states free, powerful and prosperous, associated in a Union as indissoluble as it is glorious.

CHARLES CARROLL, OF CARROLLTON.

AN ORATION DELIVERED IN THE REPRESENTATIVES' HALL, BEFORE THE
LEGISLATURE OF ALABAMA AND THE CITIZENS OF TUSCALOOSA, DE-
CEMBER 7th, 1832.

THE spectacle before us declares that this is an occasion of no common interest. It is no ordinary event which has hushed the hum of business, and chilled the active current of life; which has touched the voice of music with sadness; which has assembled us by a spontaneous impulse, the aged, and the middle-aged, and the young; which has clothed the executive of the state and its whole representation, and the various honorable orders among us, with the habiliments of mourning. It is not one of those events which touches the feelings and speaks to the affections of a single heart only, but which calls upon a nation to rise up, as one family, and mourn. The Angel of Death has touched a chord to which millions of hearts vibrate; we have lost a common father, and, as children of the republic, we have come up together to do honor to his memory. If ever any occasion deserved to be honored with services like these, it is the present. For deep and thrilling interest, and for moral grandeur, it has scarcely a parallel in history. There is at all times something touching in the simplest tribute which is laid at the grave of virtue. It is a noble and wisely-ordered faculty of our nature, which forbids us to look with in-

difference even upon the frail flower which the solitary mourner teaches to spring above the humble resting-place of one whose memory is precious. This feeling has its foundation deep in the human heart. Its illustrations are to be found in the humble offerings of the poor at the shrine of buried worth and affection, and in the solemn procession, the deep-toned dirge, the voice of eulogy, and the lofty column which honor and perpetuate the memory of the great.

And have we no offerings to present on this day? Shall we suffer this occasion to pass by unnoticed, or dwell upon it coldly? Not so. Here is every thing to call forth into full and living exercise the deepest and purest feelings of the heart; there is nothing to chill the ardor of its best affections about the memory of him who has just taken his leave of life. We call upon the noble of the earth, the friends of man, the lovers of civil liberty throughout the world, to sympathize with us in the scenes of this day. The lustre which the life of him whom we mourn sheds upon his tomb is all pure and stainless. The gentle eye of Religion itself may look upon it without a tear. Truth and Virtue meet above it and embrace each other. His glory was not gathered on the red battle-field; he went not forth, with waving banners and flashing steel, to erect the temple of his fame amid the ruins of depopulated cities and desolated lands. His conquests were wrought out by the *mind*, and the monuments which mark them are covered all over with an intellectual and moral glory.

The history of his success is to be found in the advancement of the great interests of the human fam-

ily. When the marble which lifts its front to declare the glory of the conqueror shall be crumbling into very dust, the memory of the patriot, the philanthropist, and statesman shall beam like a star in heaven, blessing the eye of the beholder throughout all time with its mild but undying lustre. It becomes us, then, to remember and honor the worth of Carroll. To obey this impulse of nature is both just and wise. To cherish the memory of the great and the good is alike honorable to the departed and profitable to the living. While we wreath the garland of affection over the dark portal of the tomb, we furnish to the surviving the strongest incitement to glory. On this occasion, what a crowd of recollections press upon the heart, and with what mingled emotions do we discharge this sacred duty! We call up the turbulent, stormy period of our country's history; we see before us that noble company, who, pledging every thing valuable and dear in the cause of their native land, and trusting to the strength and justice of omnipotent truth, felt that they were "good against the world in arms." We ask ourselves, "Where are they?" and a voice from the tomb answers us, "Where are they?" They have fallen into the sleep that knows no waking. We seek for them among the walks of men, but we find them not; the places which once knew them know them no more forever. They have passed into the world of spirits. All, all are gone. He, the latest lingering survivor of that age, has just bid us a long farewell; Charles Carroll, of Carrollton, is no more!

He who lately stood among us like some ancient

ruin, grand even amid its decay, bearing itself up proudly under the ravages of time, a noble monument of an age gone by, is at last leveled with the dust. But we have not come up here to mourn with bitterness. He had lived far beyond the ordinary allotment of nature; we would not recall him from his rest.

After a long life of good deeds, surrounded with blessings, in the bosom of a great and happy family, he has gathered up his feet in peace, and gone to his fathers. You have looked upon the sun when he cometh forth in the east, rejoicing in kingly splendor, and traveling in the greatness of his strength, and pouring his flood of glorious golden light upon the earth throughout a long summer's day. You have seen him as, his journey accomplished, he drops his broad disk behind the hills of the west. What a majesty is there in his leave-taking, as his broad beam streams athwart hill and dale, and mountain and valley, spreading out over the forest a sheet of gold, touching the tall spire with inimitable lustre, and lighting the firmament into a blaze of glory, as he draws around him the robes of his splendor! So calm, so pure, so bright was the closing hour of Carroll's long earthly day.

Let us revert to some of those scenes which have marked his life with interest.

Apart from the individual greatness of his character, his connection with some of the most remarkable events in our national history would be sufficient to make him illustrious. Were his life barren of incident; had there been no other act to rise up from its

calm and even tenor to meet the gaze of the world, saving his putting his hand to the Declaration of Independence, that one act would insure to him immortality. Who might calculate the extent of danger and hazard which hung like an angry cloud over that scene? Who shall estimate the amount of moral firmness it required to stake fortune, and reputation, and life itself upon the issue? Who shall conjecture a limit to the influence it has exerted upon the political condition of the whole world?

We look forth upon the terrible face of battle, where nation arms to strive with nation; we see the gorgeous ensigns floating high above the conflicting ranks, the waving plumes, the glittering steel; we mark the impetuous onset, the sweeping charge; the deep thunder of the cannon comes to us mingled with the shouts of men, while, amid the shock of host rushing against host, kings themselves turn pale with fear, and Death revels in the treading down of human life. What gives to this scene its deepest interest, and why does the patriot await the result with suspended respiration and pale cheek? Because upon the issue hangs the fate of his country. If victory light upon his standard, his altar and his fireside are safe. What a grandeur, then, gathers about the Declaration of Independence, regarded in this view, and how far, in the importance of its results, does it outstrip the scenes of battle! Not the destiny of one nation, nor the hopes of one people only hung upon it. It cast its influence not upon one age only, but the destiny of the world, the entire cause of mankind, the interests of generations, these were moved at its

going forth. To have been an actor in that scene entitles one to all praise, and secures to his memory ceaseless regard.

Charles Carroll, of Carrollton, was born in Annapolis, in Maryland, on the 8th of September (O.S.), 1737. When very young, he was taken to the college of English Jesuits at St. Omer's, and entered there, where he remained until his fourteenth year, when he was removed to a college of French Jesuits at Rheims. There he remained but a single year, and was again removed to the college of Louis le Grand, where the two following years of his life were passed. Having employed one year in Bourges (the capital of the province of Berry) in the study of the civil law, he returned to college at Paris, and there continued until his twentieth year, at which time he visited London, and, taking apartments in the Temple, commenced the study of the law. In 1764, when twenty-seven years of age, he returned home.

These early advantages fitted him for acting in the turbulent scenes which then distracted his country. The controversy between Great Britain and her colonies had begun to assume an angry aspect. The Stamp Act, in 1776, had excited much indignation. It had waked up among the people a wholesome spirit of investigation; the relations of the countries were examined; their reciprocal rights and duties subjected to inquiry. Among those who were most active in distributing intelligence was Charles Carroll. He employed his pen ably and successfully until the offensive act, which had given an impulse to the spirit of inquiry, was repealed, and quiet restored

to the country. About this time there were in Maryland some local topics which excited much interest. As usual at that period, the contest was between the people and their rulers. Mr. Carroll stood with the people, and acquired, for an assumed name under which he wrote in advocating their rights, great celebrity. He is said to have displayed in that contest singular firmness and decision, and to have developed an intellect of great strength. When this fictitious name became identified with Mr. Carroll, it at once raised him high in the regards of the people. In all their future controversies, they looked up to him as an advocate and a leader.

He is said to have displayed great activity in projecting and supporting the measures at that time employed in opposing the colonial policy of Great Britain. The current of events was assuming a dark, turbulent, and angry look. Every power was brought by this great man into the service of his own native, injured land; all was hazarded in her behalf.

He was no superficial observer. He looked deep into the broad and eternal principles of human life. He paid no servile homage to power; his opinions were not to be bought with the luxuries, or shackled by the strength of kingly authority. He read at once the issue of the contest, and, trusting to the deathless power of right, he cast himself at once upon the tide, ready and willing to abide the result. Let us appreciate the nobleness of this conduct—let us contemplate and value its greatness. Bred up within the dominions of kings, educated among a people who looked with awe and admiration upon royal

splendor, possessing immense wealth, which connected him with the noble, the titled, and the powerful, he laid his all *freely* upon the altar of his country's good. This is no common achievement; it required a lofty spirit and a great mind to accomplish it. By some, the course of the colonies was censured; by some, the cause was regarded as hopeless; while others supposed the excitement and the troubles evanescent. But Mr. Carroll saw in these early discontents but the shadows of great events and the beginning of evil.

It is reported of him that, in a conversation with Mr. Chase, perhaps in 1772, that gentleman remarked to him, "We have completely written down our opponents." Mr. Carroll's reply illustrates his discernment: "And do you think," said he, "that writing will settle the question between us?" "Surely," replied Mr. Chase; "what else can we resort to?" "The bayonet," was the answer. "Our arguments will only raise the feelings of the people to that pitch when open war will be looked for as the mode of settling the dispute."

And there is another incident highly creditable both to the sagacity and firmness of Mr. Carroll. Previous to the commencement of actual hostilities some years, Mr. Graves, a member of Parliament, wrote to him on the subject of the disturbances in America, treating with ridicule the idea of resistance on the part of the colonies, and declaring that six thousand English soldiers would march from one end of the continent to the other. "So they may," was his reply, "but they will be masters of the spot only

on which they encamp. They will find naught but enemies before them and around them. If we are beaten on the plains, we will retreat to the mountains and defy them. Our resources will increase with our difficulties. Necessity will force us to exertion, until, tired of combating in vain against a spirit which victory after victory can not subdue, your armies will evacuate our soil, and your country retire an immense loser from the contest. No, sir, we have made up our minds to abide the issue of the approaching struggle, and, though much blood may be spilled, we have no doubt of our ultimate success." The ability and spirit which Mr. Carroll had displayed on various occasions obtained for him the confidence of his countrymen, and caused him to be regarded as one worthy to guide and control in the troubled scenes of the time. We could linger with much satisfaction over many of the incidents of his life about this period, but the occasion permits us to present only a few of the more prominent.

We find Mr. Carroll, in the early part of the year 1776, an anxious spectator of the proceedings, truly momentous, of the General Congress, then sitting in Philadelphia. That body, having determined to invite Canada to join the provinces in resisting Great Britain, appointed him a commissioner to proceed, in company with Dr. Franklin and Mr. Samuel Chase, to that country, and urge the measure. The very extensive powers conferred on the commissioners, and the immensely important interests confided to their care, illustrate the extent of Mr. Carroll's reputation, and the value attached to it. This effort,

from a variety of causes quite beyond the control of the commissioners, resulted unsuccessfully, and Mr. Carroll returned to Philadelphia while the great subject of independence was under discussion. The representatives from Maryland had received express instructions from its Convention, held in the latter part of the preceding year, to disavow in the most solemn manner all design in the colonies of independence. These shackles Mr. Carroll regarded as odious, and went forthwith to Annapolis, took his seat in the Convention, and urged the immediate withdrawal of these instructions. How striking is the attitude in which we now behold him! The other colonies on the point of declaring themselves free and independent, and he urging his native colony not to be outstripped in the career of glory. An hour's delay might rivet her fetters, and suffer that tide in her affairs which would lead her on to glorious fortune to pass by—to flow no more. His efforts were blessed and prevailed, and on the 2d of July, 1776, in the language of his biographer, “the delegates of Maryland found themselves authorized to vote for independence!”

He was now appointed a delegate to Congress, and on the eighteenth of July he took his seat. On the nineteenth, a resolution was passed directing the Declaration of Independence to be engrossed on parchment, that it might be signed by the members. This being done, Mr. Carroll was among the earliest who affixed their signatures. Let us pause for a moment and contemplate that scene. What an assemblage is here—how collected—how full of dignity—how

vast the subject of their deliberations, and what a lofty spirit they bring to the investigation! How many would have advised the inglorious part of safety and submission. But there are moments when the poor counsels of the timid are despised; when the spirit of the patriot lifts itself up, and shaking from around it the shackles which would bind it, and turning his glance from the dangers and clouds which lower upon the scenes around him, looks into the far future, and sees in its brightness and glory a full reward for his hazards and his toils.

It is said, when Mr. Hancock asked Mr. Carroll if he would sign, he replied, "Most willingly." As he approached the desk of the secretary and affixed his name to the Declaration, some one in the lobby, apprehensive of an unfortunate termination of the contest, and anticipating the confiscation of property which must follow, exclaimed, "There goes half a million at the dash of a pen!" But no: "there's a Divinity which shapes our ends." True, he risked much—more, perhaps, than any other man—but he lost *nothing*.

Mr. Carroll remained in Congress until 1778, when he returned home to give his services to his native state, to which he seems to have been deeply attached. In the year 1788, however, we find him in the Senate of the United States, immediately after the adoption of the Federal Constitution. In two years he vacated his seat, and, retiring once more to his native state, engaged in local politics until 1801, when his public life closed, at the age of sixty-three.

The remainder of his life was passed in peaceful,

and dignified, and happy retirement. He enjoyed a richer reward than ordinarily falls to the lot of man. He lived to see the work of his hands established. He saw growing up around him a great, virtuous, and happy family. He saw them spreading themselves out from the waves of the Atlantic to the foot of the Rocky Mountains, carrying with them the arts of civilized life, and laying deep the foundations of a great, and good, and enduring government. A beneficent Providence lengthened out his days, and permitted him to survive all who acted with him in the great and illustrious scene of his life. He saw them fall around him one by one, until, forsaken by those of his own day, he felt himself standing amid a new generation. Let us visit him at his fireside: we see him surrounded by the elegances of life, receiving the caresses of his children and his children's children, while, bending over the circle, Religion sheds her holy light. When, about to take leave of earth, he turned his eye for the last time upon its scenes, what was the sight which met his dying vision? Glorious beyond description. He saw the broad lands about him soon covered with smiling fields, the forest giving back before the wave of population; the institutions of his country striking their roots deep and spreading their branches wide. He saw that broad banner, which he had stretched out an arm to raise in the dark day of doubt and danger, when hostile bayonets bristled all around it, now floating high above proud, happy, and free states, undimmed by the smoke of war, unstained by the blood of battle, but covered all over with the blessed light of peace.

We are here on this day to bid a last farewell to the signers of the Declaration of Independence. Henceforth they are not associated with the scenes of earth; their deeds have passed into history; they belong to a brighter world. Farewell illustrious men. You can never pass from our hearts.

Let us cherish their memory. When a truly great man falls, the nation should honor him; they should hang their garlands about his urn; all that can be done to make his fame enduring should be done *freely*. The memory of such men constitutes the moral property of the nation, and when her fleets and armies are scattered and torn—when her cities are leveled with the dust—when all her other monuments are crumbling beneath the march of Time, *then* the memory of her great and good will stand unmoved amid the wrecks around, telling to all generations the story of her greatness, and encouraging man throughout all time to good deeds.

This forms a new and interesting era in our history. It furnishes fit occasion for surveying the scenes around us. What place do we occupy among the nations, and for what are we responsible? This country is regarded as the last refuge of freedom, its only home upon the whole earth; the eyes of the world are turned upon us; with us the cause of all mankind rests. The friends of man in every nation look to us with anxious hope, and implore us to be faithful to the great trust; the memory of the great and the good throughout all ages supplicates us; the noble army of martyrs in the cause of humanity stretch out their hands to us; the blood and toil of our fathers cry

aloud to us; all, all entreat us to preserve the *spirit* of Liberty; they admonish us by the wrecks of former times; and they bid us, by all the blood poured out like water in the *great cause*, not to forsake it.

If the cause of freedom goes down here, it is in the dust throughout the world—it is driven back forever: lost are the hopes of mankind; vain the sufferings and toils of patriots; vain the blood of martyrs. Let these things inspire us; let us tell the patriots who, amid the dark systems of other lands, bend their gaze upon us, that we will be faithful.

Look around you: there is every thing to stimulate patriotism. If the poor inhabitant of a land frozen with eternal winter, or scorched by a burning sun, where the scanty vegetation which Nature yields scarcely supplies his wants, and where a system of bondage pollutes his soil, and grinds him and his children into the dust, still loves his native hills, and the scenes where his eyes first beheld the light, and the valleys which witnessed the sports of his boyhood, shall the feeling sleep in our bosoms? Here, where the bounties of Nature come forth almost spontaneously, where smiling Plenty blesses all, and where, amid the pleasant breezes of a healthful clime, we may look upon our kindred, free and happy, and meet them undisturbed in the temple of God, here let love of country abound.

God grant that these blessings may not be lost to us or our children; but that the light of liberty which shines over our happy land may yet spread itself out, until the uttermost ends of the earth rejoice beneath its beam.

THE DEATH OF PRESIDENT HARRISON.

AN ORATION DELIVERED BEFORE THE CITIZENS OF MONTGOMERY, ALABAMA, APRIL 21st, 1841.

ANTONY, when standing by the body of his murdered friend, in the presence of the Roman people, exclaimed,

“I come to bury Cæsar, not to praise him.”

And yet there was that in the history of Cæsar which afforded an ample field for eulogy. He had borne the eagles of his country in triumph over every quarter of the globe, and had planted them upon lands till then unknown; he had poured the wealth of broad and fertile provinces into the lap of the Imperial City, and had reared in it a colossal power which gave law to the world, and which gathered from tributary nations whatever was beautiful, or rich, or rare in the productions of nature or in the works of art, wherewith to deck her own imperious brow. But Antony felt that, in the presence of his countrymen, he could not without apology speak of the virtues of his friend, for they all knew that, after having enriched Rome and made her glorious, he would have clothed himself with unchecked authority, and have ruled as perpetual dictator.

On this occasion, standing in the midst of the American people, assembled to pay a melancholy offering to the memory of our late venerable and illustrious chief magistrate, I may well speak of his vir-

tues; there is nothing to check the tribute which gushes from our hearts. He fell not beneath the blow of indignant patriotism striking for an injured country. He had worn the helmet in her service; he had fought beneath her standard when the smoke of battle covered it, and hostile bayonets bristled about it; he had sat in her high councils; and, when he had served her long and well, he retired to his own quiet home, and engaged in the pursuits of agriculture. But he was called to quit his retirement, and take that lofty station where he must guide the vast and complicated concerns of a great people, and he yielded to the voice of his country. He had girded himself for the task, and had, with the hand of a master, sketched the broad, clear chart of his course; and, while the shouts of thousands and tens of thousands yet resounded in hearty congratulations—while the ear that heard him blessed him, and the eye that saw him bore witness to him—in that very hour the gentle hand of his Maker was laid upon him, and he fell asleep in death. His heart was true to his country while the tide of life coursed through it. Unlike the Roman, who fell while clothing himself with the purple, the last sentiment that escaped his lips was the aspiration that the great principles of constitutional liberty might be carried out.

While, then, we bury him, let us speak of his virtues; let not

“The good be interred with his bones;”

let us cherish the memory of his noble qualities, and

“Bequeath it, as a rich legacy,
Unto our issue.”

For the first time in the history of government, the country has been called to mourn the death of its chief magistrate. An event in itself so solemn strikes upon the heart of the nation with the greater force from its suddenness. A whole people, who but yesterday were rejoicing, to-day are clad in mourning. In every part of our extended country, from the splendid mansions of the rich and the great to the humble cabins of the poor, may be seen the signs of grief, and every where, upon the land and upon the sea, our drooping standard tells the story of a nation's sorrow.

Nor is all this a tribute paid to the station alone; it is the character of the man who filled that station that deepens the dirge which swells through our valleys and over our mountain-tops. True, these United States have lost their president, but that president was William Henry Harrison.

I shall not be expected to-day to enter at length upon the history of that illustrious man; the country knows it by heart. But yet it is so full of instruction, and has in it so much to encourage virtue, that I should not be pardoned if I were to pass it by altogether. It is impossible to forget, while we trace his career from early youth up to the last moment of his life, that he was guided throughout by a high principle, which never listened to temptation, and never shrunk from danger. He was cradled amid the storms of the Revolution, and was bred up by one of those immortal men who put their hands to that instrument which declared subject colonies to be free and independent states, and who pledged to the

cause their lives, their fortunes, and their sacred honor.

In every department of life to which he was afterward called, he showed that the lessons of his childhood had not been lost upon him.

In the year 1791, our northwestern borders were subject to the invasion of a ruthless enemy, who not only plundered, but desolated with fire and sword. The disastrous details of this conflagration and rapine spread over the whole country, and excited great indignation.

William Henry Harrison, then a stripling of eighteen years, though engaged in professional studies, at once abandoned them. He received from the hands of Washington the commission of an ensign in the United States Artillery, and hastened to that part of our frontier known in the descriptive language of the times as "the dark and bloody ground." Here he commenced his career. He rose rapidly; he was promoted to lieutenant; he fought beneath the eye of Anthony Wayne, that commander so full of courage and energy, whose discipline was as strict as his daring was great; and he attracted his notice, for, at the age of nineteen, he was chosen as one of the aids of that distinguished general. In the desperate battle of Miami he won laurels, and rose presently to the rank of a captain. He was now honored with the most important trusts; but at the close of the year 1797, there being no longer war to employ his active services, he left the army, and commenced his civil career. He received the important appointment of secretary and lieutenant governor of the North-

western Territory, and so ably and faithfully did he discharge the duties of his station, that he was chosen the next year as the first representative of that country in the Congress of the United States. He had won reputation as a soldier, but he took high rank now as a sound and wise statesman. With that benevolence which was ever a part of his nature, he brought about that important change in the land system which enabled the poor pioneer, who had gathered about him his little family and had penetrated the wilderness, to buy a home. The next year Mr. Harrison was appointed to what was then a most important and perilous post, governor of the Territory known then as Indiana, and was clothed with almost unlimited power over that vast region. He performed the trying duties of the station with unsurpassed ability, and, though the opportunities for amassing wealth were all around him, he refused them all, for he felt that a participation in such speculations would be a violation of his public trust. His power, great already, was augmented by Mr. Jefferson, who appointed him sole commissioner to treat with the Indians, and under this authority he obtained for his country more than sixty millions of acres. For thirteen years he was reappointed to the same high trust, and during that period, at the head of the army, fought the celebrated battle of Tippecanoe, a fierce and bloody engagement, which was conducted with the utmost spirit and skill. President Madison, in speaking of it in his message to Congress, says, "While it is deeply to be lamented that so many valuable lives have been lost in the action which took

place on the 9th ultimo [November, 1812], Congress will see with satisfaction the dauntless spirit and fortitude victoriously displayed by every description of troops engaged, as well as the collected firmness which distinguished their commander, on an occasion requiring the utmost exertion of valor and discipline."

About this time our second war with Great Britain opened, and Governor Harrison rendered the most important services in putting the entire northwestern frontier in a state of defense. Illinois and Kentucky both sought his aid and shared his solicitude; and so high did he stand in the public regard, that in his visits he was received with the acclamations of the people, and the highest honors were heaped upon him.

Some evidence of the state of the public feeling toward him may be gathered from the fact that when General Winchester, a Revolutionary soldier and a brave officer, was put in chief command of the army, the troops would not march under him, but called for their favorite commander, General Harrison; and the President, yielding to the wishes of the whole country, appointed him commander-in-chief of the northwestern army.

Here followed a brilliant series of services. The deep gloom which hung over our western borders began to brighten; the brave caught new enthusiasm, the timid became resolute, and the standard of our country, which had been trailing in the dust, was upheld by the arm of Harrison, and borne high amid the gloom of battle till the light of glory covered it. The British army, up to this time flushed with suc-

cess, gave back before the indomitable energy of re-inspirited troops, who pursued them into their own territory, and on the banks of the Thames repaired all past reverses, and established the glory of American arms.

But it is needless to dwell on the military history of General Harrison; nor, indeed, could we compress it into so brief a space. He would have glory enough had he never set a squadron in the field. In 1816, he took his seat as a representative from Ohio in the Congress of the United States, and there distinguished himself by his able and faithful discharge of his duties. It was there that he gave that memorable vote on the Missouri question. When, in reply to a friend, who told him he would ruin himself by the vote which he proposed to give, he exclaimed, "It is better to ruin myself than to destroy the Constitution of my country."

Like Curtius, who, clothing himself in his military robes, and mounting the steed which had borne him in battle, plunged into the chasm which was yawning to engulf Rome, but which closed over his devoted head, the high-souled representative, gathering about him all his honors, and with the laurels of victory yet blooming upon his brow, plunged into that abyss which yawned at his feet, and threatened to destroy the institutions of his country. But "on such a sacrifice the gods themselves pour incense." He rose strengthened. In 1824 he took his seat as a senator of the United States, and in 1828 he was appointed by Mr. Adams envoy extraordinary and minister plenipotentiary to the Republic of Colom-

bia. He found this republic fast verging to a military despotism, and he made that appeal to Bolivar, so full of noble eloquence, and which breathes the very spirit of liberty. One sentiment in that address is enough to immortalize him: "To be esteemed eminently great, it is necessary to be eminently good."

From this mission it is well known that General Harrison was soon recalled. Returning to his home on the beautiful banks of the Ohio, he dwelt in the bosom of his family, and employed himself, like Cincinnatus, in cultivating the earth.

From this retirement he was called by the Harrisburg Convention, and from that time up to the moment of his death he passed through the most extraordinary scenes which, perhaps, have fallen to the lot of any man. I would not disturb the sacred solemnity of this hour by any appeal to the distinctions of party, but I may be permitted to say that I have not found upon the pages of history a parallel for that spontaneous gushing out of a nation's enthusiasm, which, keeping within the barriers of constitutional order, swept every thing before it, and bore upon its bosom the citizen who, without rank, or wealth, or power, stood but now at the threshold of his own humble home, up to the very highest eminence of human glory.

A member of that body which placed the name of William Henry Harrison before the American people, I marked the wonderful scene from its very beginning, and it seems to rise before me like some gorgeous dream, sweeping through its rapid changes, and revealing its mighty lights and shadows. Alas

that our glorious leader should so soon pass away into the darkness of the tomb! The affections of a great people were fixed upon him. They hailed his nomination to the highest office within their gift with acclamation; they gathered about him in vast multitudes that no man could number; they almost laid aside the ordinary occupations of life that they might do him service. Wealth, and genius, and labor, and learning, and beauty, gave themselves up to his cause, and the states of this great confederacy called him to take that chair which had been first filled by Washington. The gravity of the American character was for a time almost lost in the sentiment which was identified with the name of Harrison, and all classes of men hastened to testify their veneration for him whose life had been given to his country, with scarcely a thought for himself. Look for a moment at the multitudes gathered to witness his inauguration, and say if in this country such a scene had ever before been exhibited. Nor was this magnificent spectacle called up by the power which was on that day conferred upon General Harrison. The heart was in it all. It was the pure, lofty, benevolent, patriotic character of the *man* which created it.

Who, among the thousands that on that occasion heard the clear, trumpet tones of his voice proclaiming the principles upon which his administration would be based, thought that, within a little month, that voice would be hushed in death, and the great heart, which beat so high with patriotic ardor, would beat no more.

He died in the midst of his glory. He had out-

lived calunmy; he had vindicated himself before the world; and then, surrounded by some members of his family, and a few faithful officers who had followed him in the red path of battle, and who had been with him through evil report and through good report, he calmly breathed his last, and his soul rose, purified, to meet the Savior in whom he trusted.

Farewell, illustrious man! thy memory is embalmed.

It is most honorable to the American people that, since the death of the President, all political rancor has passed away, and men of all parties unite in paying appropriate tributes to his memory. Throughout the wide extent of our country there has been manifested a deep sense of the national bereavement.

The sympathies of a whole people are gathering about her who was the wife of his youth and the wife of his old age. What can compensate her? All the honors which his country has heaped upon him are as nothing to her; she sits bereaved in the humble home from which they called him to his country's service, and it is her house of mourning.

But that country will care for her.

The character of William Henry Harrison belongs to his country, and it will contribute no small share of our national glory. In all public trusts he was faithful: as the defender of his country's rights in the field, he always bore our standard to victory; and in those high civil stations to which he was called, he manifested the highest concern for the preservation of the great principles of constitutional liberty. The address delivered by him on the occasion of his

taking the oath of office as President of the United States would alone place him among the first of men. The lofty patriotism which it breathes, and the comprehensive and just views which it presents of the Constitution, will give it rank as a state paper of the highest order.

When, too, we regard the late president as a *man*, we venerate him. He stands out in the clear atmosphere of truth, and exhibits all the proportions of moral beauty. He was, in the highest sense of the term, *an honest man*: heaven's light did not visit any man of whom this could be said more emphatically. At this time, when all the world's splendor, and wealth, and glory have passed away from him, how full of comfort is it to reflect that he had placed his trust in that Savior who died to redeem a lost world.

Through life he exhibited this sentiment on many occasions. The Rev. Mr. Hawley remarked that he had "preached to several presidents, but that General Harrison was the first one he had ever seen worship his Maker on his knees."

It is said of him, too, that while he was on his way to Washington, at the hotel where he lodged in Pittsburg, a child in whom he had manifested much interest was quite ill, and when, about nine o'clock in the evening, the physician called on his little patient, he was informed that General Harrison had desired to learn the condition of the little sufferer. He entered the general's chamber, and found him engaged in reading the Bible; and so intently was he looking into its sacred pages, that he did not perceive the presence of the physician until he was accosted. Begging par-

don for the seeming discourtesy, he heard the report of the condition of his little friend; and in reply to the doctor's expression of surprise that he should at this hour be occupied in reading, when he must need repose after the fatigues of a day passed in receiving a great multitude of visitors, he said, "It has grown to be a fixed habit with me now to read a portion of the Scriptures every night. I am never so late retiring, or so weary, as to intermit that practice. It has been my habit for twenty years—at first as a matter of duty, but it has now become a pleasure. I read the Bible every night."

In the midst of the assembled multitude who heard his inaugural address, it is well known that he professed his profound belief in the truth of the Christian religion and his reverence for its doctrines. Other presidents had spoken in general and very proper terms, certainly, of the Supreme Being, but he declared his faith in the Christian system.

During his last illness he received its consolations. We may well trust that his disembodied spirit, though it has passed away from the earth, has found a happy and eternal home amid brighter climes.

While assembled here this day to honor the memory of the illustrious dead, let us bury all bitterness with him. We are American citizens; we claim a common country; we rejoice together in the day of her prosperity, and mourn when the time of her affliction cometh.

Gathering, then, about the tomb of the brave and good man who was lately our president, let our hearts warm toward each other, and let us cherish

the virtues of the departed hero and statesman as the common property of the nation :

“ Such a man
Might be a copy to these younger times.”

In the language of the great poet,

“ This was the noblest Roman of them all ;
His life was gentle ; and the elements
So mixed in him, that Nature might stand up,
And say to all the world, This was a man.”

THE LIFE AND CHARACTER OF HENRY CLAY.

AN ORATION DELIVERED BEFORE THE CITIZENS OF MONTGOMERY, ALABAMA, SEPTEMBER, 1852.

PERICLES, in his oration over those Athenians who had first fallen in the Peloponnesian war, declared it to be a debt of justice to pay superior honors to men who had devoted their lives in fighting for their country.

What honors, then, are due to one who devoted his whole life to the service of his country; who did not reserve his heroism for a single impetuous act of self-sacrifice, but who, in his early manhood, consecrated himself to the republic; who, throughout a long career, was identified with its glory; whose declining days were irradiated with a sunset glow of patriotism; and whose heart flamed, up to the last moment of his earthly existence, with the great passion of his life? It becomes us to bring our noblest offerings to him who thrice saved the republic; who rose above a horizon yet glowing with the expiring lights of the Revolution, and for half a century shed the splendor of a great intellect upon our hemisphere; who, belonging to our times, is regarded with the veneration which we are accustomed to pay to the illustrious men who laid the foundations of the government; and who, though so lately a living actor

in the scenes of public life, is already sent to History with an imperishable crown upon his brow.

It is a noble faculty of our nature which prompts our homage to greatness. We recognize in those who have toiled in the cause of humanity the qualities which assimilate man to the Deity—which seem to lessen the distance between the finite and the infinite. They appeal to that profound love for the good and the beautiful which lies hidden in every human heart.

Hero worship is not a development of modern society. The benefactors of their race in ancient times passed away from the earth to take their places among the stars, and were elevated to the circle of the gods; and in this time of ours, ruled as the world is by the commercial spirit—prone as it is to gold-seeking and all forms of materialism, the heart of this nation beats with generous emotion when a true man appeals to it in tones of real earnestness, or performs some heroic exploit, or falls in the service of the state.

No man of our times has ruled the heart of the nation with a more potent or resistless sway than the great statesman to whose memory we are assembled this day to pay the last honors.

For nearly half a century, the name of HENRY CLAY has been associated with the eventful and glorious history of our country; and I could not pay a nobler tribute to his genius and his patriotism than to enumerate the great measures which he either originated, or of which he was the most ardent and powerful advocate. It was the boast of Augustus that he found

Rome of brick and left it of marble. Mr. Clay might, in the closing days of his life, have lifted his illustrious head to a prouder survey than an imperial city converted from brick into marble; he might have swept the broad horizon of his country with an undimmed eye, and have claimed her wealth, her industry, her enterprise, her power, her glory, all that constitutes the pride of independent America, with the Mississippi sending its mighty tide to the sea free from foreign sway, with ships which bear the flag of freedom to the remotest waters of the earth, with a government stretching its power without check over a continent, and planting its triumphant eagles upon the shores of the two great oceans of the world—he might have claimed all this, in a large sense, as the work of his hands, and looked upon it as emblazoning his fame forever. To his labors we are indebted for the freedom of the seas, for a treaty with Great Britain which left us in undisputed possession of our own waters, for the success of manufacturers, for the great works of internal improvement, and, above all, for that UNION which to-day exists in the full pride of its power and its glory.

Cicero, when about to speak of Pompey, congratulated himself that he had a theme so crowded with glorious associations that he could not fail to interest his audience, for the exploits of the great Roman transcended those of the proudest names in imperial history, and conferred increased splendor upon the republic. Let this be my inspiration to-day; let me take courage, as I look over this great multitude, in the reflection that, although I am not to speak of a

military chieftain, the recital of whose great deeds in arms would rouse the hearts of all men, yet I am to speak of one who reached a still loftier eminence than can be attained in the field of battle; whose majestic character lifts its summit to the heavens in the clear light of peace; whose hand was raised to bless, and not to destroy; whose name, for years past, has never been uttered in assemblies of the people without calling out shouts of enthusiasm; and whose renown is bounded only by the limits of the civilized world.

I am to speak of HENRY CLAY.

It is not possible, perhaps, to speak of so recent a career without catching something of the spirit of the times; and it may be that the simple language of truth will arouse passions which have not yet settled down into that calm which Time spreads alike over the convulsions of nature and of states. But I must be allowed to speak of the character of the great statesman with freedom, and to portray the events which called out his powers, and over which he exerted an influence so potential, with the fidelity which should distinguish the pages of history, whether the record be made before the actors have sunk out of the view of the living generation, or whether it be traced by one who looks across the cold atmosphere of intervening years at the scenes which he describes. Surrounded as I am by Americans, who assemble here, irrespective of party differences, to bring a garland for the tomb of an illustrious patriot, I shall seek to treat Mr. Clay's acts, opinions, and merits as those of an American in whose fame we all have now a common interest.

Mr. Clay was born in Hanover county, Virginia, on the 12th of April, 1777.

He was fortunate both in the time and place of his birth. His youth was passed among men who had taken part in the struggles of the Revolution, and who, after the storm had gone by, were engaged under the serene heavens in laying the foundations of a free government.

In Virginia, that renowned commonwealth, which has nourished at her generous bosom so many illustrious sons, who, deriving their existence from a noble lineage, were among the first to defy the power of Great Britain—in Virginia, within whose limits the last great battle of the Revolution was fought, and where so many statesmen arose who shared the perils of that great contest, and who, after achieving the independence of the country, had established the republic—there Mr. Clay formed the opinions and adopted the principles which governed his whole life. He grew up under the training of Edmund Pendleton, John Marshall, Bushrod Washington, and other eminent men who were engaged in public affairs, and with whom a young man of ardent and high aspirations could not associate without having his mind liberalized and his nature ennobled. No circumstance can be more fortunate for one who is to take part in the great affairs of life than the privilege of seeing and hearing, in his youth, illustrious men—a privilege which often does more for the development of genius and the elevation of character than the most rigid training of the schools. Cicero traveled to Rhodes that he might be instructed in the cele-

brated school of eloquence established there by Æschines, and we have the immortal orations which he delivered in the forum and in the senate-chamber.

Henry Clay, destitute of the gifts of fortune, of the means of foreign travel, of the advantages of a collegiate course, stood in the presence of PATRICK HENRY, and, while he heard the thunder of his eloquence, he caught an inspiration as fortunate as that which the Roman senator found in his youth. Who can say how far the whole career of Mr. Clay was influenced by that early and eager listening to the voice of Patrick Henry? Did not the mighty energies of that resistless orator find an echo in the bosom of the obscure youth who stood up to hear his trumpet tones? The same generous fire, the same clarion voice, the same rushing, impetuous power of intellect belonged to both. The same spirit of patriotic fervor which animated the Demosthenes of Virginia flamed up in Henry Clay with equal ardor and brilliancy.

It is worth while, for the sake of a cheering principle which the fact contains, to say that the early life of Mr. Clay was one of toil; in the fields, or wherever else the wants of his mother's family required, he labored; and the hand which, in the prime of manhood, directed the movements of the government, had guided the plow as it turned up the soil to receive the seed. At fifteen, he entered the office of Mr. Tinsley, of Richmond, who was connected with the Court of Chancery, and there he attracted the attention of Chancellor Wythe, who employed him as an amanuensis, directed his studies, introduced him to

authors of solid worth, and opened his mind to receive the generous influence of classical learning.

“There upon his opening soul
First the genial ardor stole.”

At twenty, in the true spirit of self-reliance, he left Virginia, and established himself in Lexington, Kentucky. The friendless youth took his place at the bar, and, relying upon his intellect, his energy, his industry, his honest purpose to do his duty, he established his claim to consideration in the midst of full-grown men already eminent.

Without a large acquaintance with law-books, or an extensive survey of the broad foundations of the system of jurisprudence inherited from England, Mr. Clay had applied his mind to a philosophical investigation of its leading principles. These he had grasped with a mind singularly clear, rapid, and comprehensive; and with an energy quite indomitable, and a faithful consecration of himself to every task which he undertook, he continued to rank through life as a lawyer in the highest and best sense, and to win triumphs at the bar which many men of more research, with inferior abilities, would in vain have attempted.

He was not destined to continue at the bar. He entered early into the service of his country, and it is his political career which we are to review—a review of which it is not too much to say that it was the most splendid ever witnessed among the statesmen of this country. Rising rapidly to the highest heavens, he flooded the country with his light through a long day, and when he sunk toward the horizon

which touches eternity, he threw the milder beams of his majestic intellect over the republic from the Atlantic to the Pacific Ocean. Mr. Clay's first appearance in Congress was as a senator from the State of Kentucky, a post which he held but for a short time. He was elected to the House of Representatives, and took his seat in the Congress which was convened by the President's proclamation in November, 1811, when the aspect of our foreign relations was threatening. He was instantly chosen speaker by an overwhelming majority. A higher proof of confidence in his abilities and character, or a nobler tribute to his patriotism, could not have been accorded; nor has any parliamentary body, in any country, ever brought to its service a presiding officer more richly endowed with those great qualities, so rarely found blended in a single individual, which are required in one who rules the deliberations of a free popular assembly. Prompt, firm, and decided, he impressed the House with a profound respect for his authority, while the manliness, frankness, and elegance of his manners secured to him the sincere good-will of the body, even in the midst of the most momentous and exciting debates.

He continued to preside over the House throughout his protracted service as a representative.

Passing through the most eventful times, he continued firmly seated in the speaker's chair, and exerted over the deliberations of that great popular body almost unlimited control. The House of Representatives, created by the people—exhibiting the popular sympathies—swayed by the tempests which sweep

over the country—affording, from its large number of members, opportunities for the powerful appeals of oratory—the seat of the nation's strength, where every tax-bill must originate, and where the quick indignation excited by any assertion upon the rights or honor of the country may at once flame up into a declaration of war, was the proper theatre for the display of Mr. Clay's transcendent abilities. The Senate is a smaller body, embodying the conservative elements of the government, removed from the direct influence of the people, and so constituted as to withstand the surges of popular passions which sometimes thunder against its portals.

In the House Mr. Clay acquired a commanding influence over the country. He became the popular leader, animating the Republican ranks to heroic exertions, denouncing in vehement and indignant terms all opposition to the measures of the administrations which he sustained, and on some occasions bearing away not only the House, but the Senate and the executive, by his resistless will.

His great strength was with the people. His heart beat in sympathy with their hearts; they comprehended him; they loved him; they put their trust in him; and the pealing notes of his voice, uttered in the Capitol, found an echo in the remotest border of the American wilderness. He acquired the name of the "Great Commoner," a prouder title than kings can bestow with stars, or garters, or ribbons.

Henry Brougham, when in the House of Commons, was the most powerful man in the British empire. The civilized world rang with his tones. No

administration, backed as it might be by the powers of the crown, could stand before his assaults; but from the day when he took his seat in the House of Lords, and became a titled peer, his sway began to decline, and the consideration which he now enjoys is due to the splendid fame which he won as a representative of the people. Pitt, the younger, never would surrender his seat in the Commons, which was to him a throne more powerful than that upon which his monarch sat.

Mr. Clay, if he had continued in the House of Representatives, refusing to abandon that post for any office to which he was not called by the people, could have strode with the majesty of a demi-god into the presidency of the United States. In the Senate he was still powerful, the leading mind in that body when it was crowded with men of the highest order, great in intellect, splendid in reputation: it rivaled the Roman senate in dignity, and transcended it in power. In that body he was great as Lord Chatham was in the House of Lords; he could not be otherwise than great; but the day of his full-orbed splendor was when he stood in the House of Representatives, a tribune of the people. Refulgent he stood in the view of his country, full of promise, of hope, and of manhood. When Mr. Clay entered the House of Representatives, all Europe was engaged in a war which shook the world, and our commerce was exposed to its fury. It became a prey to the contending powers. England swept the seas with her fleets, and plundered our unprotected vessels, while she stripped them of such seamen as might be supposed

to owe allegiance to the British crown. France seized our property wherever it could be found, and confiscated it under the decrees of Napoleon, who strove to range the world against his imperial and powerful enemy. France at length yielded to our remonstrances, but Great Britain persisted in a course of aggression which roused the spirit of the nation, and drove us into a war which, although costly in treasure and in blood, vindicated our rights, and shed new lustre upon the flag of the republic. Reluctant as the nation was to engage in war, Mr. Clay urged its policy and necessity; he organized the committees of the House so as to control its action; he denounced the policy, the objects, and the measures of the British government, and attributed its hostility to the United States not to any wish to attack the interests of France by destroying our commerce, but to her dread of a young and powerful rival, who already sent her ships to every sea, manned by one hundred and twenty tars. He advocated an increase of the navy, for he comprehended that no modern nation can be really independent which is not prepared to protect its people and its commerce in the most distant seas, and to cause its flag to be respected under whatever sky it is displayed. The country was put into an attitude of resistance, and in June, 1812, the committee on foreign relations reported to the House a bill declaring war against Great Britain.

Mr. Clay advocated its passage with resistless power; associated with him stood Mr. Lowndes, Mr. Calhoun, and Mr. Cheves, and they bore down all opposition. In the van of that group of statesmen Mr.

Clay stood proudly eminent; throughout the war he animated the country with his own spirit; no reverses could dishearten, no disasters could depress him. He exultingly announced every victory upon the seas, and his voice announced with vehement indignation every proposition for peace which did not secure to us the amplest guarantees that our rights and our honor should be respected.

He overwhelmed the opposition—he fired the friends of the administration with his own ardor—he inflamed the representatives of the people with a burning indignation against the imperious and haughty nation with whom the country was at war, by describing the wrong, the cruelty, and the suffering which resulted from the practice of impressment, until, as he advanced in his glowing philippic, the utter degradation of submitting to such a system was felt by the members of the House so intensely that the tide of passion could be pent up no longer; it burst forth before the eloquent statesman who was pleading for the honor and rights of the nation, and swept away all resistance to the war.

Having urged the country to vindicate its rights by war, Mr. Clay was equally prompt and energetic in securing an honorable peace. He was associated with Mr. Adams, Mr. Gallatin, Mr. Bayard, and Mr. Russell in negotiating at Ghent a treaty of peace with the commissioners appointed on the part of Great Britain. The fisheries and the navigation of the Mississippi formed the chief difficulties in bringing the negotiation to a friendly issue. The British commissioners insisted upon a recognition in the

treaty of the right of Great Britain to navigate the Mississippi from its mouth to its source—a right which had hitherto been enjoyed in consideration of the privilege granted to citizens of the United States to fish within the British waters, and to dry and cure their fish upon British soil. Some of the American commissioners thought it best to perpetuate this stipulation, but Mr. Clay announced his unalterable determination “never to consent to purchase temporary and uncertain privileges within the British limits at the expense of putting a foreign and degrading mark upon the noblest of all our rivers.” His views prevailed. Mr. Clay returned to his own country with the proud consciousness of having placed her honor and her rights upon a footing which the whole world would respect.

The success of our arms upon the land, and the brilliant victories achieved by our young navy over the powerful fleets of Great Britain upon the sea, had caused the American name every where to be respected; and the splendid example of a republic formidable in war, and yet ready to adjust all causes of controversy with moderation and justice, was beheld by the civilized world with unbounded admiration.

The treaty of peace left us in possession of every right which we had asserted, and which we had undertaken to vindicate by war; our seamen might visit the remotest seas, and find protection in the flag that floated over them; our commerce was safe from spoliation; and the noble river which rolls its waters through great states, beginning at the extreme north, and emptying into the Gulf of Mexico, was freed

from foreign vassalage, and became, for the first time, American. In anticipation of his return, Mr. Clay had been elected to Congress by his constituents, and, entering the House of Representatives, he was immediately chosen speaker by a vote almost unanimous. The South American colonies, animated by the example of the United States, were struggling for independence. The spectacle could not fail to interest our people and our government, nor was it possible for a statesman like Mr. Clay, with quick sympathies and enlarged philanthropy, to look on such a contest with indifference.

He proposed to provide in the Appropriation Bill for the pay of a minister to the independent provinces of the River de la Plata, and supported his motion by one of the most brilliant, comprehensive, and powerful speeches which he ever delivered. The moral grandeur of his position was never higher than on that occasion. He stood up to plead for the recognition of the independence of the South American states against the opinion of the world. Europe was, of course, opposed to the measure; Congress would not consent to favor it; the President was unwilling to commit the government of the United States to that extent; and yet Mr. Clay arose, refulgent and undismayed, against this universal opposition. He spoke in behalf of human freedom, and he drew from history his illustrations in support of the right of every people suffering under despotic rule to throw off the yoke of subjection, to create new defenses for their protection, or to take an independent station among the nations of the earth.

England and our own country had both nobly vindicated this great right. It is emblazoned in characters of unfading light in the history both of the English and American Revolutions. His speech in this great cause was replete with learning and eloquence. It announced in exulting tones the advent of freedom, and proclaimed with bounding hope the overthrow of despotic power. Mr. Clay succeeded in bringing our government to a recognition of South American independence, and he was well rewarded for his generous exertions by the assurance that his words had infused new ardor into the bosoms of a brave people. His speech was read at the head of their armies, to excite them to still nobler struggles for liberty, and Bolivar addressed to him a grateful letter, acknowledging the essential service which he had rendered to their great cause.

Upon certain great questions of American policy Mr. Clay entertained opinions which he frankly avowed through life. He believed that Congress possessed the power to appropriate money for works of internal improvement, and he urged the adoption of a comprehensive system to facilitate intercourse between the people of the several states, and to bind more closely the various parts of one wide-spread republic. The leading statesmen of our country have been divided upon this question; it is yet a subject of debate, after all the light which has been shed upon it. The power was conceded by Mr. Jefferson, for he favored the construction of the Cumberland Road. Mr. Madison invited the attention of Congress to the expediency of exercising their powers to

effectuate a comprehensive system of roads and canals. Mr. Monroe proposed to make appropriation of money for like objects; while Mr. Gallatin and Mr. Calhoun, when at the head of the War Department, the one in 1808 and the other ten years later, advocated extensive measures of internal improvement; but the last named of these statesmen subsequently reviewed and modified his opinions.

Mr. Clay persevered through life impressing the subject upon the attention of Congress, and to him more than any other of our statesmen is the country indebted for such public works as have been already accomplished, and for the vindication of the power of the government to undertake such enterprises—a power which, when guided by the spirit of the Constitution, is a most important and beneficent one. The Cumberland Road, conceived and executed in a spirit as bold as that which constructed the Simplon Road over the Alps, opens a way across the Alleghanies, and spreads before the eye of the traveler a noble memorial of the great statesman who labored so ardently and so faithfully to accomplish it.

Upon another question, which, like that of internal improvements, has ranged the public men of the country in fierce opposition to each other, and which has more than once threatened to disturb the tranquillity of the government—the tariff—Mr. Clay entertained opinions which, formed early in life, were cherished throughout his career.

He was the advocate of the system for the protection of American industry.

He thought it essential to the true prosperity and

the real independence of the United States that our people should produce at home the chief articles suited to the wants of man in civilized life. The variety of soil and climate—the adaptation of some parts of the country to agricultural productions—the aptness of some of our people to engage in commerce—all these natural elements would be supposed to work out their results; but the skill required in the mechanic arts, the fluctuations in prices occasioned by changes in the affairs of European states, and the advantages possessed by foreign capitalists in the employment of pauper labor, seemed to him to require some protection for the manufacturing interest, and he perseveringly insisted that certain articles imported into the country, and coming into opposition with our own productions, should be taxed, to enable the American manufacturer to compete with rival establishments abroad. This system he named the American System.

This is not the occasion to enter upon an examination of the merits of a system which has been so long and so fiercely debated; but it is due to the truth of history to say that it found in Mr. Clay far the ablest advocate ever employed in its cause, while his enemies acknowledged him to be the most magnanimous statesman that had ever conducted a great measure to which he was deeply committed through a long course of years and changing fortunes.

He did not hesitate to yield up, from time to time, some of his cherished ideas in regard to it from a patriotic desire to secure to the government as large a share of confidence and satisfaction as could

be attained amid the conflicting opinions of public men representing the diversified interests of the country.

It was the good fortune of Mr. Clay to find himself more than once holding a controlling influence over important questions which tried the strength of the government, and on every occasion he displayed qualities so noble, so magnanimous, and so full of the spirit which in ancient or modern times has impelled men to sacrifices for the good of their country, that he has long been ranked with PATRIOTS who shed along the track of history the light of resplendent examples, to encourage mankind to the performance of deeds which deserve to be called heroic.

In the controversy which sprung up upon the application of MISSOURI to be admitted into the Union as a state, Mr. Clay displayed his great qualities, and rendered the most important services to the country. That controversy was far the most formidable which has ever occurred under our government.

Mr. Jefferson, looking out upon the state of the country from his retirement in Virginia, was startled by the alarming aspect of affairs; he declared that he regarded the question as the most momentous which had ever threatened the Union, and that, in the darkest hour of the Revolutionary struggle, he had never felt such apprehensions as then oppressed him. From the beginning to the end of that perilous agitation, Mr. Clay labored without ceasing to bring about an adjustment, and at length succeeded in carrying through both houses of Congress a compromise which saved the Union and gave repose to the coun-

try. The services rendered by him on that occasion were so signal, that he acquired, in addition to the title of the "Great Commoner," another title still more illustrious, that of the "Great Pacificator"—a title to which he subsequently vindicated his name by services still more important and splendid. Mr. Clay had now attained the most commanding position; his brilliant talents, his important public services, his ardent patriotism, which, like that of the ancient Greeks, made him regard every thing as subordinate to the glory of the state; his national views, which would not allow him to belong to a section of the Republic, had endeared him to the people, and, young as he was, he was presented to the country as a candidate for the presidency.

Besides Mr. Clay, Mr. Adams, General Jackson, and Mr. Crawford became candidates. No choice was made by the people, and the election devolved upon the House of Representatives, by whom the Constitution provides one of the three candidates having the highest number of electoral votes shall be chosen President in cases where no one of the persons voted for shall have received a majority of the whole number. The three candidates highest on the list were General Jackson, Mr. Adams, and Mr. Crawford. The provision in the Constitution which directs the election to be made by the House of Representatives in the event of a failure on the part of the people to choose the President, and which limits the choice to the three persons receiving the largest vote in the electoral colleges, of course leaves to the House the unrestricted privilege of selecting from the

list either of the candidates; otherwise it would be unnecessary to devolve upon the representatives of the people the duty of performing a formal act, and it would have been a provision in the fundamental law that a plurality of votes should entitle a candidate to the office of President. It was well known that Mr. Clay's influence in the House would enable him to decide the contest between the three persons returned to that body. It is believed that Mr. Crawford would have been Mr. Clay's choice if the splendid intellect of that statesman had not been partially impaired by disease; in its meridian effulgence, the shadows of an eclipse which never passed away began to steal over it. Between Mr. Adams and General Jackson Mr. Clay did not hesitate, and decided in favor of the former. His long public services, his learning, his eminent qualifications, and his position in the country, might have accounted satisfactorily for Mr. Clay's preference; but no sooner was it ascertained that he intended to vote for Mr. Adams, than the fiercest and most vindictive assault was made upon him, and reckless partisans of General Jackson persevered in charging upon him a corrupt bargain with the new president for office, which would have disgraced a statesman in the time of Walpole, when the venality of the House of Commons was proverbial. Calumny found a great name to fasten upon, and it adhered to it with a tenacity as shameless as it was malignant. That name has been triumphantly vindicated by the subsequent career of the great statesman; like the eagle soaring toward the sun, he rose high in the heavens, his eye blazing with ardor, and his wings flashing with light.

Mr. Clay accepted the place of Secretary of State in the cabinet of Mr. Adams. That was his error; it exposed him to detraction, and gave that color to the injurious charge of his enemies which, if he had declined the office, it never could have possessed. But it was an error into which a pure and strong man was apt to fall. Conscious of his own integrity, he looked down with unmeasured scorn upon those who calumniated him. In this world of ours, it is, perhaps, not wise to do so; yet who can withhold his sympathy from the true man who will not swerve from his course to escape the attacks of his enemies? In this rapid glance at Mr. Clay's career, we have reached the period when he took leave of the House of Representatives, never to return to it. We have already said that it was the proper field for the exercise of his great abilities. He had earned there a splendid reputation; he had controlled the action of the government by the power which he exerted over the House; he had originated the most important measures of the country; he had roused the nation to wage war with a haughty and powerful empire; he had cheered the friends of liberty throughout the world by words of generous sympathy; and he had effected a pacific adjustment of an angry and momentous domestic controversy which shook the republic; and now the "Great Commoner" strode through the portal of that magnificent chamber which had so long rung with his tones, and ceased forever to be a REPRESENTATIVE OF THE PEOPLE.

Mr. Clay, when Secretary of State, was distinguished for the energy and comprehensiveness which he

displayed in conducting the intercourse of the United States with foreign nations.

His statesmanship was of the highest order. He established the relations of the United States with other powers upon a footing which gave security to commerce; he extended to the young states of South America and to Greece, when fighting for independence, all the aid which a sound policy would allow; he extended our foreign trade, and conducted the negotiations which accomplished these objects in a spirit so firm and just, that the triumphs of peace rivalled those of war. At the expiration of the term for which Mr. Adams was elected, Mr. Clay left Washington and returned to Ashland.

He soon appeared in the Senate of the United States. The memorable tariff dispute with South Carolina had grown to be a formidable and portentous one. It turned upon a great constitutional principle, and it is well known that the most dangerous of all disputes are those which involve a principle. Temporary abuses may be ridiculed; an odious measure may be repealed; the pressure of the government may be borne when the times require it; but a law which overrides a constitutional barrier will be resisted by a high-spirited people in a temper so heated by a sense of wrong that it sometimes flames up into a revolution. South Carolina, in solemn convention, passed an ordinance declaring the revenue laws of the United States to be null and void within her limits, and adopted decided measures for putting the state into an attitude of resistance to the general government. General Jackson, who was at

the head of the government, issued a proclamation, in which he denounced the proceedings of South Carolina as treasonable, urged the good citizens of that state who were opposed to Nullification to co-operate with him in maintaining the supremacy of the laws, and invited those who had hitherto taken part in the revolutionary movement to abandon the perilous course upon which they had entered. He leveled his thunders against the doctrine of Nullification and that of Secession, denying the right of the state either to set aside a law of the United States, or to withdraw from the confederacy without the consent of all the states. In a special message to Congress, he depicted the state of the country, and demanded to be clothed with power to suppress by force any attempt at resistance on the part of South Carolina.

Governor Hayne issued a counter-proclamation, encouraging the citizens of South Carolina to a steady and heroic support of their state in her daring and perilous position. The sky grew darker every hour. The day fixed upon by South Carolina for resistance to the revenue laws was rapidly approaching. The state planted herself in the pass of Thermopylæ, and her sons were prepared to die in her defense.

Mr. Calhoun had resigned the office of Vice-president, and was chosen by his state a senator in that crisis. The energy and resolution of his character were well known; and entering the Senate when it was believed that his own person was not safe, he brought that intellectual power for which he was so distinguished into the defense of his state, and delivered in her cause far the ablest speech which he ever uttered

in his whole career. His great antagonist was Mr. Webster, who had, in a previous debate with Mr. Hayne, delivered a speech in defense of the Union which stands unsurpassed by any oration of ancient or modern times. It combines the elegance of Cicero with the power of Demosthenes—the splendor of Burke with the vigor of Pitt. The Senate and the country witnessed the debate between Mr. Calhoun and Mr. Webster with the profoundest interest. It involved great organic principles, and the impending collision between the government and a state gave them an intenser significance and a higher grandeur. At that conjuncture, when the light seemed to have faded from the darkening horizon, Mr. Clay brought forward a measure which promised to restore peace to the country. He offered to the Senate his Compromise Bill, which provided for a decided but gradual reduction of the duties upon imported articles up to the year 1842, at which period they were to be fixed at a rate of twenty per cent. upon the *home valuation*—a principle of the greatest importance in the revenue system. Mr. Calhoun rose in the Senate, and gave his reluctant consent to Mr. Clay's bill. It passed both houses of Congress, after encountering determined opposition in each of them, and South Carolina acquiesced in the measure of reconciliation. Civil war was averted, and the republic was saved. As the storm-cloud rolled away, the ship of state was seen riding proudly over the subsiding billows, and it was the hand of Mr. Clay which grasped the helm and guided it into the open sea. Illustrious man! he had twice saved the republic. The North gave up, and the

South no longer held back. Even Mr. Clay's enemies were at peace with him. Mr. Randolph was seated in the senate-chamber, lingering upon the theatre of his former fame, when Mr. Clay rose to speak upon the Compromise Bill. "Help me up," he said to his half-brother, Mr. Tucker; "I have come here to hear that voice." At the close of his speech, Mr. Clay walked to where Mr. Randolph was seated, and, grasping each other's hands, they lost all traces of their former feud.

Mr. Clay now belonged more than ever to his country. He stood upon a proud eminence, and the gratitude of the people for his services rose to enthusiasm. His name mingled with the tones of patriotic exultation which hailed the adjustment of a controversy so portentous all over the country, and wherever he traveled, he was greeted with acclamations, and honored with the noblest triumphal progress which ever cheered a statesman. He had realized the reward so exquisitely expressed in those lines of Gray:

"The applause of listening senates to command,
The threats of pain and ruin to despise—
To scatter plenty o'er a smiling land,
And read his history in a nation's eyes."

Mr. Clay's views in regard to the public lands were matured after a thorough examination of the subject, and he succeeded in carrying through both houses of Congress a bill which promised the best results, and which was only defeated by the action of the President, General Jackson, who retained it in his possession until after the adjournment of Congress, and it, of course, failed to become a law.

Mr. Clay's views as to the currency were also well matured; and it was his opinion that a national bank, in some form, was important, if not essential to the prosperity of the country. Congress agreed with him, and passed a bill for the re-charter of the Bank of the United States, which the President met with his veto. Then began the fierce contest between General Jackson and the bank—a contest which ended in the destruction of the bank, but which involved the country in the heaviest commercial disasters. An intense excitement pervaded Congress. Mr. Clay led the opposition to that memorable administration, and a more courageous or powerful leader has never appeared in any parliamentary body. The President, remarkable for the energy of his character and the strength of his will, with a personal popularity which seemed boundless, and at the head of a powerful party, marshaled all his forces, and hurled them against the opposing ranks; but he was confronted by a leader as full of courage as himself, and whose steady soul nothing could intimidate—a leader who roused the Senate to the loftiest spirit of resistance to executive power, and who succeeded in spreading upon the records of that august body a resolution condemning the course of the President.

On the last day of March, 1842, Mr. Clay rose to take a formal, and, as he supposed, a final leave of that body. The chamber was thronged with representatives, foreign ministers, and others who had the privilege of entering it, and the gallery was filled with ladies, all eager to hear once more the tones of a voice unrivaled in its richness and power, and to

witness a scene which was to be an epoch in the annals of the country. It has been immortalized, not only by being spread upon the pages which record the history of the times, but the pencil of the painter has sketched the scene with life-like fidelity. In looking upon the picture, the great scenes of English history rush upon the mind, and the event is associated with the last speech of the Earl of Chatham in the House of Lords. The speech, full of dignity and pathos, moved the Senate to tears. As the last words were uttered, "And now, Mr. President and senators, I bid you all a long, a lasting, and a friendly farewell," he resumed his seat amid a stillness as unbroken as if the living mass which thronged the senate-chamber had been the ideal creation of a painter. After an interval, Mr. Preston, of South Carolina, moved that the Senate adjourn without proceeding to any business, and it did so. Mr. Clay stepped into the area, when a senator, who, like himself, had earned an imperishable fame in the service of his country, but between whom and the great statesman who had just taken leave of the Senate an estrangement had grown up in trying and stormy times, approached him. It was Mr. Calhoun. Their intercourse had been interrupted for five years, but now they grasped each other's hands and exchanged salutations which were prompted by their great hearts.

Early in the spring of 1844, Mr. Clay made an extensive tour through the Southern States. It was well known that he was to be the Whig candidate for the presidency, yet his opinions upon all political questions which interested the country were express-

ed with perfect unreserve. It became known that a negotiation was in progress for the annexation of Texas to the United States, and Mr. Clay, without hesitation, announced his decided opposition to the scheme. He addressed a letter to the people, depicting in strong terms the dangers which surrounded the question; for his was a nature too honest and too proud to conceal any opinion for the sake of acquiring power. Texas was in a revolutionary state; her independence had not been acknowledged by Mexico, and Mr. Clay declared his unconquerable opposition to any plan of annexation which did not embrace that republic as a party. With a full knowledge of his opinions, he was nominated by the Whigs for the presidency with an enthusiasm which promised a brilliant victory. For some months it seemed to the American people that Mr. Clay would be elected by acclamation. His splendid reputation, his illustrious public services, his acknowledged ability and experience as a statesman, the popular confidence which he enjoyed so largely, all seemed to render his success certain; but, as the canvass advanced, it was perceived that his opinions in regard to Texas alienated friends, and rendered doubtful a contest which had opened for him so auspiciously. Mr. Van Buren, who had been looked to as the opposing candidate, had been set aside by the Democratic Convention on account of his declared opposition to the annexation of Texas, and Mr. Polk, an ardent friend of the measure, received the nomination. The result is well known. The canvass turned upon the Texas question; the popular feeling in favor of the measure rose so high

as to surmount every other consideration, and Mr. Clay, with his brilliant personal qualities and his great public services, failed to reach the presidency. Coriolanus was refused the consulship of the people, though his scars had for a time influenced them in his favor.

Mr. Clay re-entered the Senate on the third day of December, 1849, and was welcomed to a seat in that body by the assembled senators from every state, and by the voice of the American people. The state of the country induced him to return to a seat which he had relinquished, as he supposed, forever. The results of the annexation of Texas, which he had so clearly foreseen, and against which he had warned the country, had occurred, and he came, in the midst of the dangers which surrounded the republic, to rescue and to save it, or to perish with it.

The war with Mexico had been brought to a close by a treaty which left us in possession of new and extensive territories. Portentous questions grew out of the splendid acquisition.

The discovery of exhaustless beds of gold in California attracted thousands to its distant shores, and a bold, intelligent, and spirited people, finding themselves on the coast of the Pacific without a regular government, organized a state, and applied to be admitted into the Union. Territorial governments were demanded for the protection of the people spreading over the vast regions now known as New Mexico and Utah. Texas insisted upon the recognition of her boundaries, stretching to the Rio Grande del Norte and running far into New Mexico. To

complicate these great subjects of legislation still farther, an alarming question, which has more than once threatened the disruption of the government, sprang up—the question of slavery. The people of California had, by their Constitution, prohibited the introduction of slaves within the limits of the large state carved out of the new territory, and it was proposed to prohibit their introduction into the Territories of New Mexico and Utah by an act of Congress. The anti-slavery sentiment of the country was roused into new activity by these momentous questions, and it became more imperious and exacting in its demands. It announced that the limits of slavery were forever fixed. As if these disturbing elements were insufficient to agitate the country and endanger the government, they were inflamed yet more by an attempt to confine Texas within narrower limits than those to which that young and gallant state was entitled—even leaving out of view her claim upon the magnanimity of the United States—and to bring about a collision between her people and the troops of the general government by precipitating a decision adverse to her claims.

The convulsion that shook the country while Congress was engaged in settling these momentous questions is too recent to make it necessary to describe it. The ocean, when it has been swept by a tempest, even when the skies have cleared up, continues to heave its billows and to send its surges against the resounding shore, and we find ourselves yet in the midst of political events which remind us of the strength and fury of the storm with which the coun-

try was so lately visited. But we to-day send up, from hearts glowing with gratitude, our fervent thanks to Almighty God that the heavens are cloudless; that the republic covers with its protecting eagles kindred states touching on the one side the Atlantic and on the other the Pacific waters, and that its great standard, hailed all over the world as the banner of freedom, still displays upon its ample folds the gorgeous emblem of the UNION which constitutes us one people. Mr. Clay is eminently entitled to the merit of the success of the great measures which rescued the country from its perils. He brought forward, at an early day, his Report and Bill from the Committee of Thirteen, which proposed to admit California as a state into the Union; to establish Territorial governments for New Mexico and Utah without any prohibition of slavery, and to tender proposals to Texas for the establishment of her western and northern boundaries which could not fail to be satisfactory to that state—measures which he continued to advocate, with unabated ardor and exhaustless energy, up to the day of their triumphant passage through both houses of Congress. The great task which he had undertaken upon entering the Senate was accomplished. He had saved the republic for the third time. It was the boast of Antony over the body of Cæsar, that, although he had fallen under the avenging dagger of Brutus, he had thrice refused a kingly crown. How transcendently does the form of Mr. Clay rise above that of the Roman when we fix our eyes upon him in the last great act of his career, and see him as he stands in the sublime attitude

of an American senator who had thrice saved his country from civil war! Themistocles earned imperishable fame by the victory which he achieved over the Persians in the Bay of Salamis, but what was such a victory, brilliant as it was, compared with that great civic achievement of Mr. Clay which crowned his long and illustrious life?

After the accomplishment of his last great task, Mr. Clay's health gradually declined. He returned to Washington, at the opening of the late session of Congress, to defend the measures to which he had consecrated his last days. But the great soul which had so long urged his enfeebled body to patriotic tasks could no longer command his failing strength. Unable to take part in the deliberations of the Senate, he remained almost constantly in his chamber. The hope of visiting Ashland, and of closing his days in the sacred retirement of his home, for some time cheered him. He resigned his seat in the Senate, intending to quit Washington at the close of the session of Congress. Spring came, with its genial influence reviving the face of Nature, but it brought with it no restoration to the declining powers of Mr. Clay.

The hope of revisiting Ashland was relinquished, and he calmly awaited the stroke of death. In the summer of 1847 he had become a member of the Protestant Episcopal Church, and he found now in his chamber, about which the shadows of death were beginning to close, the cheering and sustaining power of an immortal hope. The dying statesman gradually withdrew his thoughts from the affairs of this world. He was never more to stand in the senate-

chamber—never again to sway the passions of assembled thousands by his resistless eloquence. The eyes which had flashed with patriotic fire were filled now with the mild radiance of the heaven to which they were turned. He spoke of his family, his friends, and his country, and said to a friend, “I am not afraid to die, sir. I have faith, hope, and some confidence. I do not think any man can be entirely certain in regard to his future state, but I have an abiding trust in the merits and mediation of our Savior.” The sacrament of the Lord’s Supper was administered to him, and he meekly received those emblems of a death out of which spring our immortal hopes. He expired tranquilly on the 29th of June, in the 76th year of his age.

“Statesman, yet friend to truth, of soul sincere,
Of action faithful, and in honor clear,
Who broke no promise, served no private end,
Who gained no title, and who lost no friend;
Ennobled by himself, by all approved,
Praised, wept, and honored by the land he loved.”

The announcement of Mr. Clay’s death produced throughout the whole country the deepest sensation. It struck most hearts as if the intelligence of the death of a personal friend had reached them, and the whole people rose up to pay such honors to his memory as had never been accorded to any statesman of this country.

The popular enthusiasm which was accustomed to greet him in his travels, was now converted into a pervading grief, which covered the multitudes who thronged about his honored remains as they were borne to the tomb, with the habiliments of a mourn-

ing distinguished as much for its depth and sincerity as for its solemn magnificence.

Mr. Clay's cast of character was American—distinctly American. It was his aim to develop the resources of his country, and to elevate it to a height of prosperity and grandeur never before reached by any nation in ancient or modern times. His plans were bold and comprehensive, looking to the happiness and glory of the whole republic rather than to the advancement of any particular section. He comprehended the complex character of our government; and while he left local interests to the protection of the states where they existed, he devoted his energies to the support of great measures, whose success he deemed essential to the full development of the boundless elements of wealth and power which the nation possessed. He has been charged with a purpose to enrich one section of the country at the expense of another, but no man ever less deserved the charge. He could not belong to a section, but he gave his great faculties to the cause of his country—his whole country.

The lofty summit upon which he stood as a statesman enabled him to see the country in its broadest extent; and while many stood upon a lower level—would see only the narrow district to which they happened to belong—his eyes swept the remotest verge of the vast domain embraced by our government. Fortunately, most of the great questions which have arrayed the American people in opposing parties have been national and not sectional. A settled geographical division of parties, such as on

one or two occasions we have witnessed, would be fatal to the republic.

Mr. Clay was, beyond a question, the noblest illustration of a national statesman which his country has ever produced. He kept his views rigidly within the limits of the Constitution, but within those limits all his faculties were employed in a steady and heroic struggle to give success to systems embracing the interests of the American people.

HIS AMERICAN SYSTEM was an illustration of the breadth and nationality of his views. The South opposed it generally, but even here opinion was divided in regard to it. The opinion, however, that its tendency was to foster the manufacturing enterprises of the North at the expense of the planting interest of the South gradually gained ground with us, and the utmost hostility existed against it in most of the Southern States. But Mr. Clay's aim never was for a moment to depress the one section and elevate the other. He believed that the system would be so adjusted by a wise discrimination in fixing the duties on imports as to result in an actual benefit to the whole country, making us independent of foreign establishments, preventing the balance of trade against us with other countries, and securing to the Southern people a domestic market for their products above that which they could find elsewhere. His magnificent system of INTERNAL IMPROVEMENTS, limited to objects strictly national, was also the result of the comprehensive views which characterized him as a statesman. If he had administered the government, it would not have been necessary to associate any one

with him to keep the supreme executive power from swerving from a national course. The two councils of Rome did not look more steadily to the glory of the empire than he would have looked to the glory of the republic. Mr. Clay's nationality was the result of a profound study of the nature of our government—of the character of the American people.

He contended for what seemed to him a just construction of the Constitution, and he felt that, while a narrower interpretation of its meaning might save the government from occasional abuses, it would, at the same time, deny to it the powers which it really possessed, and render that a feeble and an inefficient system which was designed to be a great and beneficent one.

Some of our statesmen, apprehending danger from the power of the central government, have steadily resisted its growth, and, like Patrick Henry, have sought to hedge it in, as if it were a formidable despotism. With them the President is a monarch likely to become a despot. Others have desired to usurp the rights of the states, and to build up a powerful consolidated government.

Mr. Clay escaped both these extremes, and planted himself upon ground which the eminent French statesman, Casimir Perrier, would have pronounced *le juste milieu*. He recognized the rights of the states, and he claimed for the federal government its full power. Mr. Clay has been charged with ambition. That he deserved to attain power it would be useless to deny. Where is the statesman of noble aims and great abilities who does not desire it? The

remark of Burke is a philosophical truth, "Ambition is the malady of every extensive genius." But Mr. Clay's ambition was pure and generous.

He never sought to attain power by unworthy means; he never swerved from the direct path of duty to conciliate public favor. His sympathies with the people were full and sincere, but he never pandered to their passions or bent before their clamors. His opinions upon all subjects were frankly expressed; he disdained concealment. He never surrendered his own independent sentiments, but courageously encountered the fiercest opposition to them, whether that opposition was presented by executive power, or by the representatives of the people, or by the people themselves. His remark, made to his friend, Mr. Preston, of South Carolina, revealed his character. In reply to a suggestion that the opinion which he was about to avow on a certain occasion might affect his position before the people, and endanger his election to the presidency, he exclaimed, "I would rather be right than be President." The heroic sentiment will become immortal. Mr. Clay did not exhibit the Roman sternness which characterized Mr. Calhoun, yet he possessed firmness in the highest degree. No man could plant himself more resolutely in defense of a position than Mr. Clay. Like Fitz-James, he would have met the whole band of Roderick Dhu without the yielding of a muscle.

Yet no statesman of our country was ever so conciliatory. Whatever may have been his ambition, it always gave way before the call of his country. He would meet, unmoved, any dangers which threatened

him personally, but he relinquished, without reluctance, his most cherished opinions when the welfare of his country demanded the sacrifice.

When urging upon the Senate the adoption of his Compromise Bill for adjusting the perilous contest with South Carolina, he said, "If I had yielded myself to the dictates of a cold, calculating, and prudential public policy, I would have stood still and unmoved. I might even have silently gazed on the raging storm, enjoyed its loudest thunders, and left those who were charged with the care of the vessel of state to conduct it as they could." But he hastened to restore harmony to a distracted land. Mr. Clay's attachment to the Union was profound and unconquerable. His failure to reach the highest office in the country never alienated his affections. While others enjoyed the supreme power, he never ceased to labor for the good of Rome. No personal success could have compensated him if his elevation to power had endangered the perpetuity of the government.

He believed our system to be capable of vast expansion; and when he saw our institutions seated on the Pacific shores, he insisted that Congress should promptly receive into the Union the State of California. A republic covering the continent with its institutions, and gathering under one common government the mighty population spread from the Atlantic to the Pacific, was the vision which filled his heart with exultation as he looked out upon his country for the last time. He sought to strengthen the government, not by usurpations of power, but by measures which would bind the remotest parts of the coun-

try in willing and indestructible political bands. He preferred to carry his measures by enlisting in their support men of all parties, rather than to press them upon the country by the mere power of disciplined numbers. He saw clearly all the aspects of every question; and while his own courage was never intimidated, nor his resolute purpose ever shaken, he was at all times ready to modify his measures, so far as they could be modified without impairing their efficiency, or sacrificing the principles upon which they were based, that he might make them acceptable to those who did not agree with him. As a parliamentary leader, Mr. Clay has never been equaled in this country. He combined with great abilities that faculty so important to success in political life—tact. His abilities commanded the attention of the political bodies in whose debates he took part, and his tact enabled him to carry his measures.

He was the boldest of all our statesmen. Whether in the House of Representatives sustaining an administration, or in the Senate opposing the government, his courage never sunk for a moment, and his crest rose still higher when leading the opposition than it did when defending its powers.

He attacked the government, however powerfully intrenched, with as much vigor as Richard Cœur de Lion did the castle of Front-de-Bœuf, when he thundered against its gates with his battle-axe, amid the missiles which were showered upon him from its defenders, regarding them no more than if they had been feathers or the thistle's down; and his eye, flashing along the wavering columns of his allies, fired

them with his own indomitable spirit. For years he presented to General Jackson a front which never blenched, and he defied his boundless popular power with a steady and heroic firmness which won for him the admiration of friends and foes, and presented to the country the noblest illustration of the august character of an AMERICAN SENATOR which has ever been witnessed.

He possessed the qualities which would have made him a transcendently great military leader: the high courage—the quick perception—the comprehensive view of details scattered over a wide field—the decision which adopts, without hesitation, the true course of action—the power to infuse his own ardor into the bosoms of those about him, and the faculty of inspiring the followers of his standard with undoubted confidence in his abilities.

It is understood that Mr. Madison would have placed him at the head of the army in the last war with England if he could have been spared from the House of Representatives.

Mr. Clay's intellectual powers pre-eminently fitted him for a parliamentary career. Without the massive strength of Mr. Webster, or the condensed and logical force of Mr. Calhoun, he was more efficient than either. His mind was not in the least degree metaphysical; it was altogether practical, rapid, and direct. He was capable of profound and patient analysis, and he has, in some of his more elaborate speeches, displayed this faculty with high success; but he preferred to present the great features of a subject, that it might be seen whole, rather than to

pursue its remote and less striking relations. His mind was characterized by originality, power, and comprehensiveness. His resources were inexhaustible. The measures which Mr. Clay conceived and brought before Congress displayed statesmanship of the very highest order, and his fame will rest upon them as firmly as a mountain, lifting its head to the heavens, stands upon its granite base.

As an ORATOR, Mr. Clay stood unrivaled among the statesmen of our times; and if the power of a statesman is to be measured by the control which he exerts over an audience, he will take rank among the most illustrious men who, in ancient or modern times, have decided great questions by resistless eloquence.

Mr. Calhoun was the finest type of the pure Greek intellect which this country has ever produced. His speeches resemble Grecian sculpture, with all the purity and hardness of marble, while they show that the chisel was guided by the hand of a master. Demosthenes transcribed the history of Thucydides eight times, that he might acquire the strength and majesty of his style, and Mr. Calhoun had evidently studied the orations of the great Athenian with equal fidelity. He had much of his force and ardor, and his bearing was so full of dignity that it was easy to fancy, when you heard him, that you were listening to an oration from the lips of a Roman senator, who had formed his style in the severe schools of Greece.

Mr. Webster's oratory reaches the highest pitch of grandeur. He combines the pure philosophical faculty of investigation which characterized the Greek mind with the athletic power and majesty which be-

longed to the Roman style. There is in his orations a blended strength and beauty surpassing any thing to be found in ancient or modern productions. He stands like a statue of Hercules wrought out of gold. He has been sometimes called the Demosthenes of this country, but the attributes which he displayed are not those which belonged to the Athenian orator. His speeches display the same power and beauty, and equal, if they do not surpass, in consummate ability, the noblest orations of Demosthenes; but he wants the vehemence, the boldness, the impetuosity of the orator who wielded the fierce democracy of Athens at his will, and who, in his impassioned harangues, "shook the Arsenal, and fulminated over Greece."

Mr. Clay's oratory differed from that of Mr. Webster and of Mr. Calhoun, and it was more effective than that of either of his contemporaries. Less philosophical than the one, and less majestic than the other, he surpassed them both in the sway which he exerted over the assemblies which he addressed. Clear, convincing, impassioned, and powerful, he spoke the language of truth in its most commanding tones, and the deductions of reason uttered from his lips seemed to have caught the glow of inspiration.

Lord Brougham thinks that the ancient orators fell nearly as far short of the modern in the substance of their orations, as they surpass them in their composition.

He attributes this to the character of modern assemblies, which are places of business, where practical questions are discussed, and where the audience must

be convinced, and not merely entertained. Mr. Clay was eminently successful in addressing such assemblies. His large views, his sterling sense, the energy of his character, the earnestness of his manner, the sympathy between his mind and his body, gave him an ascendancy over the intellect and the passions never displayed by any other American statesman. His form was tall and commanding; his voice was unrivaled for its compass and richness; and when he rose to animation in speaking, his countenance was lighted up with a glow which shed a lustre upon his whole person. His sensibility was deep, and sometimes displayed itself in the most affecting manner. In the debates of the Compromise measures of the last Congress, it became proper for him, as a senator, to allude to his son who fell at Buena Vista. He was for a moment overcome with emotion, and, putting his hand before his eyes, he sought in vain to repress the tears which gushed from them. These elements constituted him the prince of orators; and whether before the Senate, or in the midst of the people in their great assemblies, he asserted and maintained a dominion which none could dispute with him. He realized Mr. Webster's description of oratory: "The clear conception outrunning the deductions of logic; the high purpose; the firm resolve; the dauntless spirit, speaking on the tongue, beaming from the eye, informing every feature, and urging the whole man onward, right onward, to his object: this, this is eloquence, or, rather, it is something greater and higher than eloquence; it is action—noble, sublime, god-like action." His noblest efforts

were invested with a fiery splendor; and he rushed onward in his impetuous career, like an ancient hero, upon poised feet, his formidable spear lifted in his strong right hand, the wheels of his chariot glowing from the velocity of the onset, and their scythes sweeping down the adversaries that stood in his way.

In conversation Mr. Clay excelled. Always ready, sometimes playful, often brilliant, there was a fascination in his manner which drew around him friends outside of the circle of his political associates, and his frankness and generosity gave an indescribable charm to social life.

"He was a man, take him for all in all,
We shall not look upon his like again."

Yet, with all these brilliant personal qualities, Henry Clay never became the President of the United States. In looking back to the times in which Mr. Clay, Mr. Calhoun, and Mr. Webster lived, the succeeding generations will be at a loss to account for the fact that neither of them ever attained the highest goal of their ambition. In Rome they would have divided the consulship. In England they would have administered the government, and have received the highest aristocratic distinctions. In this republic they could never reach the highest post in the government. Two of the great triumvirate have passed away from the world; their course is run. The third yet lingers upon the field of his glory, but without the slightest prospect of reaching the presidency. Indeed, that splendid orb which has so long lighted our heavens is rapidly descending to-

ward the horizon, and will soon disappear from it forever.

The theory of our government requires a first-rate man to be placed at the head of the administration. In England the sovereign power is vested in a hereditary monarch. His capacity is a matter of no great moment; the first minister of the crown is responsible for the government. But with us, the sovereignty resides with the people, and the President ought to be a man of the highest order, for he holds the same relation to our government that the prime minister holds to the British government.

In reviewing Mr. Clay's career, the wonder is that he could have failed to become President. The statue of Brutus left out of the procession will awaken inquiry as to the cause. Cromwell is not allowed to rank with the sovereigns of England, although he controlled the government as Protector, and gave the country the wisest and most brilliant administration which it ever enjoyed. Henry Clay, who has impressed his great character upon the institutions of this country, never became its president. But it is perhaps well that he died without reaching that station.

His immortal words, "I would rather be right than be President," will thrill upon the hearts of the statesmen of the country, and animate them to a nobler aim than a mere lust of power.

They will strive to serve their country, and to bear with them to the grave the consciousness of deserving its honors, even if the laurel should never encircle their brows.

Mr. Clay's fame is imperishable; no office could have added to its towering grandeur, or have shed upon it any additional lustre. It was becoming that he should die, as he had lived, "THE GREAT COMMONER."

DANIEL WEBSTER—HIS GENIUS AND CHARACTER.

AN ADDRESS BEFORE THE LITERARY CLUB AND CITIZENS OF MONTGOMERY, ALABAMA, DECEMBER, 1854.

MR. PRESIDENT, LADIES AND GENTLEMEN, — We should read the history of the rise and fall of an empire to little purpose if we failed to discover the causes which produced its prosperity or sapped its strength, and it would be an idle task to recount the events of a great life if we could not comprehend the elements which constituted its greatness.

When a great man passes away from the world, we review his career, we linger over the grand passages of his life—his adversities and his triumphs; but, while we desire to know what he has performed, we are far more deeply interested in discerning what he has *thought* and what he has *felt*. The external life, whatever may be its splendor, interests us less than the great soul itself. We study great historic periods not merely that we may trace the changing fortunes of a dynasty or the eventful progress of a nation, but we seek to read in the facts spread out before us the philosophy which they teach.

We follow the hero from the battle-field and the statesman from the senate-chamber that we may study the man; we seek to analyze him, and to read the soul which makes him what he really is—which

imparts to his life the heroism and the grandeur which the world has discovered and applauded. Nothing interests us so much as *character*.

It is our purpose this evening to exhibit, so far as we can in so brief a period, the character of a great statesman, who, as Clarendon says of the Duke of Buckingham, lately rode in the troubled and boisterous waters of public affairs as admiral, and to present the qualities which, in their grand assemblage, gave him his pre-eminence among the men of our times.

The traveler who visits the Alps feels his conceptions of the sublime heightened as he beholds that great mountain range lifting its ice-clad summits to the cloud-region. The soul, exalted and ennobled, enjoys a glorious communion with nature.

But when the glance is turned upon Mont Blanc, standing in solitary grandeur, its head crowned with everlasting glaciers, and towering above all surrounding objects, we recognize it at once as a monarch, peerless amid the colossal forms which stand about it, and unapproachable in its eternal majesty.

So, in exploring the civil history of our country, when the eye glances along the line of illustrious men who have lived and died in the service of the republic, it rests upon the form of DANIEL WEBSTER as its grand proportions stand out before us against the sky of the past.

Of his services to his *party* we have nothing to say, but of the majesty of his intellect, of the productions of his pen, of the power of his eloquence—greater than any which the world has heard since it

listened to the impetuous Athenian—of the grandeur of his character we wish to speak.

As we approach Athens from the sea, we look upon the tomb of Themistocles, a splendid tribute to his memory reared by his countrymen, who during his life disputed as to his merits, but who felt that after his death they might all claim a share in his fame. While standing upon the shore and looking upon the sea, where his great exploits had been performed, all was forgotten but the heroic life which they had witnessed. Not in New England alone—not in Massachusetts only, whose history her illustrious senator said the world knew by heart—not in that extensive and powerful part of the confederacy known as the North is the fame of Webster to be cherished; it is a heritage which belongs to the whole nation, and men may be proud of it every where, from the forests of Maine to that distant Californian coast washed by the Pacific wave.

How refreshing it is to escape from the dust, and the clamor, and the fierce hatreds of the political arena, to breathe an atmosphere fresh and vigorous, and to bathe our souls in the pure and pellucid waters of literature! In this clear air we may see objects in their true proportions.

Mr. Webster's youth was passed amid the rugged scenes of nature—forests, mountains, and snows. Something of the grandeur of his own nature may have been derived from this early communion with great external objects. He grew up in a stern school: labor was a law of life—labor in the fields, labor in the schools, labor every where. His early

poetry was the "Essay on Man" and the hymns of Watts.

It is an affecting picture to see that boy, in his father's fields, sharing his daily toils; striving to prepare the soil to receive the grain, or to save the products of the farm in harvest-time; rising to behold the sun come forth in the east, or watching the closing in of a dark New England winter night, as it descended upon the hills which stood about his humble paternal roof.

In a snow-storm a sleigh was seen ascending a hill in the State of New Hampshire, in which were seated a man already mature, of fine, bold face, and a youth of generous countenance.

The elder traveler addresses some words to the younger which seem to move him, for he presently rests his head upon the shoulder of his companion, and his eyes are filled with tears.

The travelers were Ebenezer Webster and his son Daniel, and the father had just announced to his son his purpose to send him to college. Daniel, overcome with emotion at the opening of such a career, and at the thought of the sacrifice which his father is about to make for him, can not restrain his tears.

There the ardor of a great soul broke forth, and the eye of the young eagle flashed as it turned for the first time toward the sun.

It is not our purpose to trace the career of Mr. Webster, but our wish is to present a view of the man as he so lately stood among us; to analyze his character; to study the great elements which enter-

ed into it; and to discover where the secret of his strength was hid.

A really great man is the grandest object which this world ever exhibits. The heavens in their magnificence—the ocean in its sublime immensity—mountains standing firm upon their granite foundations, all are less imposing than a living man in the possession of his highest faculties.

Demosthenes urging the Athenians to march against Philip interests us more than all Greece. Hannibal scaling the Alps with his victorious legions is a sublimer object than the Alps themselves. Marius seated upon the ruins of Carthage makes us forget the fall of an empire in contemplating the fortunes of a man. Nelson upon the deck of the *Victory*, with the star glittering upon his breast, is a grander sight than the two hostile fleets. Napoleon at Waterloo, riding to the brow of the hill at the head of the Imperial Guard when they were to make their last charge upon the British lines, is an object of higher interest than all the stern array of battle beside. Lord Chatham sinking in the House of Lords is the noblest object in the British empire; and Washington crossing the Delaware at night, amid the crashing ice, fixes our attention in the midst of the dread magnificence of the winter scene, and we look upon him as we would upon an avenging archangel going forth to smite the invading army. Our country has produced some great men. They glow in the heaven of the past like stars in the firmament, and in that splendid constellation we see Webster in full-orbed glory. In history, as in the heavens, one star differeth from another star in glory.

It is not always that the majesty of the intellect is symbolized in the external man, but in the case of Webster it was so. His appearance was nothing less than grand. In the midst of his peers in the Senate, he stood like a tower, in shape and gesture proudly eminent; or he sat, amid its august deliberations, as if upon his broad shoulders alone he could bear the weight of the government. His head rose with an ample swell, which reminded one of that dome which Michael Angelo hung in the heavens. His eyes were large, dark, and with that fathomless depth which gives so fine an expression to the face. These, with his dark complexion and hair, presented at all times a spectacle which would fix the attention if seen in any assemblage of men; but it was when he was roused by some great theme, or fired by some important debate, that he rose into an aspect of Olympian power and grandeur. Then we could comprehend Milton's description of the style of Demosthenes:

"He shook the Arsenal,
And fulmined over Greece."

A thunder-cloud seemed at times to hang upon his brow, but as he advanced in his argument, something like a smile, resembling a ray of sun-light, would pass over his features.

No grander spectacle could be witnessed than that which he presented when his mighty intellect was in full play, and the great passions of his nature glowed in his countenance. It was like looking upon a great mountain, in whose depths the molten ore, under the intense heat of internal fires, begins to flow,

and at length pours out in a broad stream of living flame.

There was a great deal of poetry in Mr. Webster's nature, and it was this that gave him his pre-eminence as a writer and an orator.

There can be no true eloquence which is not in some way allied to poetry, nor can there be true greatness of any kind which is the work of the head; the *heart* must originate it, or it is no greatness at all. Practical men must be, if they would achieve great exploits in this latter half of the nineteenth century; but the curse of our times is a utilitarian philosophy, falsely so called, which would ignore the heart within the living man, make him forget the green fields of his boyhood, the sweet recollections of home, the whole face of nature, and every thing but Mammon,

"The least erected spirit that fell from heaven;"

for even in heaven his looks and thoughts

"Were always downward bent, admiring more
The riches of heaven's pavement, trodden gold,
Than aught divine or holy else enjoyed
In vision beatific."

Mr. Webster's heart was as large as his understanding. Even Theodore Parker, the most graceless, perhaps, of all living men, though a man of immense genius; a man who talks of the Bible, and yet denies its inspiration; who, in the name of a disciple of Christ, seeks to darken the divine halo which encircles his brow; a man who, aspiring to be a free thinker, spreads his adventurous sails to the winds, and, losing sight of the heavens and the earth, has been greatly tossed by the waves, and who, in thick

darkness himself, seeks to extinguish the lights which guide other men to heaven—Theodore Parker, whose attack upon the character of Webster since his death is without a parallel for ferocity in the whole range of letters, from their dawn till now—even he admits that Mr. Webster, “in his earlier life, was fond of children, loved their prattle and their play. They, too, were fond of him, came to him as dust of iron to a loadstone, climbed on his back, or, when he lay down, lay on his limbs and also slept.”

He says too, “He was fond of nature, loving New Hampshire mountain scenery. He loved gardening, the purest of human pleasures. He was a farmer, and took a countryman’s delight in country things—in loads of hay, in trees, in turnips, and the noble Indian corn, in monstrous swine. He had a patriarch’s love of sheep—choice breeds thereof he had.

* * * He loved to give the kine fodder. It was pleasant to hear his talk of oxen; and but three days before he left the earth, too ill to visit them, his cattle, lowing, came to see their sick lord, and as he stood in his door, his great oxen were driven up, that he might smell their healthy breath, and look his last on those broad, generous faces that were never false to him.” And yet Theodore Parker says of Mr. Webster, “No living man has done so much to debauch the conscience of the nation—to debauch the press, the pulpit, the forum, the bar!”

Mr. Webster’s love of nature, of animals, of birds (he would not allow them to be shot upon his grounds), and of children, vindicate him from the charge of a want of moral sentiments. His heart

was never parched, even amid the burning heats of political life, which, alas! blast too many kindly shoots of the soul.

He loved nature passionately. The brooks, the hills, the valleys, the snow-clad mountains, the sun gilding the east with purple light, or kindling a blaze of splendor over all the western sky—all this he looked upon with a glance which took in the beauty and the glory of the scene. Nothing was lost upon him; no sound which greeted the ear with music in its tones, no touch of nature upon the heavens or the earth which the eye could rest upon, was unheeded by him. He saw every thing and he heard every thing as a poet sees and hears the aspects and voices of nature. All appealed to the great deep of his moral nature, as the stars of heaven are mirrored in the bosom of the ocean.

Lord Byron, after a night's debauch in Venice, stood, in the tranquil morning, before the stars had faded out of the sky, and he looked up to them. He felt their reproving glance. "These stars," he exclaimed, "what nothings they make us appear!"

Wr. Webster, walking one night with a friend, looked up to the star-lit heavens, and repeated the eighth Psalm: "O Lord our Lord," &c. He comprehended that, while the Lord had set his glory above the heavens, he had made man a *little* lower than the angels, and had crowned him with glory and honor.

His was not a soul to sink overpowered by any scene of nature, however magnificent or sublime; it rose and kindled with the glories which surrounded

it; and while he felt awed beneath the display of God's power and glory in the outspread heavens, he at the same time felt his soul swell with adoring gratitude to Him because He did condescend to visit man.

How he loved the morning we may learn from his Richmond letter. He explains what is meant by the "wings of the morning:" "Rays of light are wings;" and he says, "I never thought that Adam had much the advantage of us from having seen the world while it was new. The manifestations of the power of God, like his mercies, are new every morning and fresh every moment. I know the morning; I am acquainted with it, and I love it. I love it, fresh and sweet as it is—a daily new creation, breaking forth, and calling all that have life, and breath, and being to new adoration, new enjoyments, and new gratitude."

His letters to John Taylor, who was managing his farm, are full of poetry. Writing in the senate-chamber, he translates Virgil's description of the opening of spring, and then asks his honest rural friend, "John Taylor, when you read these lines, do you not see the snow melting from the slopes of your French Brook pasture, and the new grass starting and growing in the trickling waters, all green, bright, and beautiful? and do you not see your Durham oxen smoking from heat and perspiration, as they draw along your great breaking-up plow, cutting and turning over the tough sward in your meadow in the great field?"

This love of nature, this blending of the soul with

the glories and the harmonies of the universe, vindicates Mr. Webster from the monstrous accusations brought against him. The soul which can find its enjoyments in green fields, or under the heavens beaming with stars, or beside the ocean, the image of eternity, or witnessing the sports of children, or in listening to the voices of nature, is a soul in whose depths the gentle charities of life may be found nestling, and the pure gems of truth are hidden. Wordsworth himself did not love rural life, or the country and its pastoral scenes, more than Webster.

Mr. Webster's nature was full of poetry, and it was this that gave him his greatness, his transcendent greatness as an ORATOR.

His intellectual power was very great. He sometimes smote his adversaries in debate with a vast rock, seized in his monstrous grasp, and hurled with a force equal to that with which Ulysses sent the fragment flying through the air which he threw in the sports in which he took part at the court of Alcinous, upon his return from Troy :

“ Then, striding forward with a furious bound,
He wrenched a rocky fragment from the ground,
By far more ponderous, and more huge by far,
Than what Phæacia's sons discharged in air ;
Fierce from his arm th' enormous load he flings ;
Sonorous through the shaded air it sings ;
Couched to the earth, tempestuous as it flies,
The crowd gaze upward while it cleaves the skies :
Beyond all marks, with many a giddy round,
Down-rushing, it upturns a hill of ground.”

He pressed into his service all the elements about him, and he treasured up beautiful and great thoughts, that he might use them when the occasion came.

Standing in Quebec, and witnessing a morning parade of British troops, he caught an idea of the wide-spread power of England, which he uttered years after in one of his great speeches.

He was speaking of the *principle* of the Revolution, and he says of our fathers, "On this question of principle, while actual suffering was yet afar off, they raised their flag against a power, to which, for purposes of foreign conquest and subjugation, Rome, in the height of her glory, is not to be compared; a power which has dotted over the surface of the whole globe with her possessions and military posts; whose morning drum-beat, following the sun, and keeping company with the hours, circles the earth daily with one continuous and unbroken strain of the martial airs of England."

Nothing in the language which we speak is finer than the poetical thought which he introduces into his Bunker Hill speech when the great monument was inaugurated:

"Let it rise—let it rise till it meet the sun in his coming. Let the earliest light of the morning gild it, and parting day linger and play on its summit."

Another great quality in Mr. Webster's oratory was his acquaintance with *classical literature*, and this, we think, ought to be noticed next to that poetical element in his nature to which we have just referred.

He stands without a rival among American statesmen in that style of oratory, excepting only John Randolph, whose discursive and eccentric orations can hardly be classed with regular parliamentary

speeches, and Mr. Pinkney, of Maryland, whose fame rests chiefly upon his arguments before the Supreme Court of the United States, but whose beautiful speech in the case of the *Nereid* entitles him to a high rank in that school. In this respect the British statesmen far excel us. We read their speeches with delight; they are in themselves classics.

Two most felicitous quotations from the *Iliad*, which Mr. Webster made on two occasions of great interest to the country, occur to me.

He closes his speech, made on the 7th of March, 1850, with a description of the completeness given to our extended territorial possessions by the acquisition of California. The two great oceans of the world then washed our borders. "We realize," he said, "on a mighty scale, the beautiful description of the ornamental border of the buckler of Achilles:

"Now, the broad shield complete, the artist crowned
With his last hand, and poured the ocean round;
In living silver seemed the waves to roll,
And beat the buckler's verge, and bound the whole."

The other classical quotation to which we allude was made in a speech delivered in the Senate, when Mr. Webster, after the death of General Taylor, resumed the discussion of the Compromise measures, which had been interrupted by that event. He paid a beautiful tribute to the hero-President before entering upon his argument, and closed it with the lines from Homer,

"Such honors Ilium to her hero paid,
And peaceful slept the mighty Hector's shade."

[We can not, at this time, undertake to show the

advantages of classical learning, but we venture to say that it fertilizes the mind to an extraordinary degree, and never fails to purify and elevate the tastes.

There was a comprehensiveness in Mr. Webster's range of thoughts which never failed to appear in all that he wrote or spoke; he never took a small view of a subject. This gave to his style a massiveness which distinguished it from that of any of his contemporaries. Indeed, it was Miltonic: what the author of *Paradise Lost* was among poets, Mr. Webster was among the writers and the orators of our times.

His logical power was great; and he could furnish an argument ponderous as a cable which would hold a ship of war steady to its moorings in a tempest, while his poetical nature, his refined taste, and his acquaintance with general literature imparted an ornate beauty to his style, and a magnificence, rising sometimes into grandeur, which surpassed the noblest efforts of Cicero in ancient, or of Burke in modern times.

There was a breadth of view in his examination of a question which reminded one who listened to him of the far-sweeping horizon which stretches around when we stand upon a mountain peak.

All these elements, however, could not have given him that ascendancy in the Senate which he held as an orator, if he had not possessed yet another quality—PATRIOTISM. He loved his country with a fervor that has never been surpassed. Impressive as he always was—great as he often was at the bar, in the senate-chamber, and before the people—he rose to sublimity when he spoke of the power and glory of the republic, or depicted its future grandeur. An

indescribable majesty seemed to invest his person on such occasions, and he stood like an ancient demigod swaying the destinies of a nation. He loved New England; he loved his paternal home in the New Hampshire hills, half hid amid the snow-drifts of winter; he loved Massachusetts, which always cheered and sustained him; but his love was not confined to New England: it was limited only by the remotest verge of the domain over which the eagles of his country flew. He was not a Massachusetts man, nor a New England man, nor a Northern man; his great soul swept beyond these narrow limits; and while New Hampshire might claim him because she gave him birth, and Massachusetts might claim him as her great senator, and the North might claim him as the noblest and proudest advocate of her policy, shedding the splendor of his imperial intellect over all her institutions, no section could appropriate him, for he was himself nothing less than an American.

It was this that imparted the highest glory to his great efforts. In ordinary times he was a senator from the State of Massachusetts, ready to vindicate her policy and defend her interests, with enlarged national views, it is true, all the while; but when a great crisis came, which involved the stability of the government, or threatened the glory of the republic, his soul expanded under the intense fires of patriotism, and his eye, like that of the eagle in the blaze of noonday splendor, swept the remotest verge of the country, and he forgot all lesser distinctions in the proud consciousness that he was an American senator.

The greatest speech which he ever uttered was made in reply to Mr. Hayne. That speech, whether we regard the magnitude of the interests which it reviewed, the danger which impended over the institutions of the country, the effect produced by its delivery, or the amazing grandeur of the effort itself, was as important and as impressive as a battle.

All the great elements which entered into the composition of Mr. Webster's character were displayed in it. The figure with which it opens, the allusion to the mariner, who has for days lost sight of the heavens, availing himself of the first pause in the storm to take his latitude; his tribute to Massachusetts; his passionate declaration of his purpose to stand by American liberty, or to fall with it amid the proudest monuments of her glory; his great argument in defense of the integrity of the federal government; and his triumphant and sublime peroration, closing with the memorable words, "LIBERTY AND UNION, now and forever, one and inseparable"—all were characteristic of the orator, who was the living impersonation of the idea which has come down to us from ancient Greece of transcendent eloquence like that of Demosthenes when he delivered the Oration for the Crown.

Over the senate-chamber the American flag was flying, and through the glass dome its folds might be seen floating in the breeze, as Mr. Webster uttered that passage which described it bearing those words emblazoned upon it in characters of living light; and while the effect upon the audience which thronged every spot within the reach of his voice was over-

whelming, the words still ring in our ears, and the scene will be preserved by History and Painting as one of the most memorable and impressive which has occurred in the fortunes of the republic.

But we can not linger this evening over scenes which attract us. We must content ourselves with a hurried glance at the great man whose form so lately towered among us so stately and majestic, and of whose sudden prostration we think, as Thackeray says of Lingo, with emotions such as we experience when we think of the fall of an empire.

As a lawyer, Mr. Webster's fame was as high as that which he had acquired as a statesman. From the day when he delivered his argument before the Supreme Court of the United States in the Dartmouth College case, he took rank with the foremost men of the profession; and amid all the engrossing demands upon his time and his intellect which his political duties made, he not only did not recede as a lawyer, but his reputation steadily grew to the last. His clear, strong, comprehensive sense enabled him to state a case in a way that made it almost unnecessary to argue it afterward.

We should be unjust to Mr. Webster, and unjust to others, and unjust to that philosophy which ought always to shine through such an analysis as we have attempted, if we did not add that Mr. Webster's most intimate friends attributed his great success in life as an intellectual man to labor. He was laborious to an amazing degree, and he tasked his powers to their utmost range. Habitually an early riser, his work for the day was well advanced before other men had

risen from sleep. Well might he say, "I know the morning, and I love it."

As a statesman he performed signal services. His papers written when Secretary of State will forever adorn our annals. His letter to Lord Ashburton on the right of search, in which he declares that an American sailor must find his protection in the flag that floats over him; his reply to the Austrian paper presented by Mr. Hulseman, in which he vindicates the principle of popular rights against the imperious and despotic doctrines of a nation whose territory, in comparison with our own, is but little more than a patch on the earth's surface—a letter which spread through Europe, rousing all the popular enthusiasm, so that the office of the American consul at Athens was thronged with visitors eager to see that proud defense of freedom—these and others will rank with the state papers of any country or of any times. His politics must not now be discussed; but we may be allowed to say that it is the crowning glory of his career that the last great utterance which he ever made—his speech of the 7th of March, 1850—was an utterance of great and patriotic sentiments, sounding out through the whole land; appealing to Massachusetts to stand by the Constitution; assuring the South of his purpose to carry out the provisions of the national compact; calling upon the country, as a conscript father might have appealed to Rome, to be true to herself—an utterance which will sound out to future ages.

It was a heroic speech, and entitled him to the name which his friends had long ago given him of "Defender of the Constitution."

Such a man was

“Not for an age,
But for all time.”

Turning away from the Capitol, quitting his department of state with a heart yearning for the quiet of home, the fresh pure air of the sea-shore to fan his fevered cheek, and the endearments of kindred to soothe his declining days, the great statesman went to Marshfield: he went there to die.

These last days were as full of solemn grandeur as the light streaming through the stained-glass windows of a cathedral. The statesman is lost sight of; we see only the man. There are words uttered which disclose the deep religious sentiment that was an element in his nature; words of trust in God; broken utterances as to His rod and His staff supporting the steps about to enter the valley of the shadow of death; words that tell how much of poetry there was in his heart; broken lines of Gray's *Elegy in a Country Church-yard*,

“The curfew tolls the knell of parting day;”

and a solemn, final leave-taking of the loved ones of his household.

Then the light faded out of those large, lustrous eyes, and Webster was dead.

Wherever the tidings spread, the flag of the country drooped; men were startled in high places and in humble ones; some wept; and all who could reach Marshfield went to look upon the dead majesty of the nation, as it lay in the deep, tranquil sleep of death, under the spreading boughs of an immense tree, which had often sheltered its lord when living.

What a career closed there! a career far the most brilliant which has been seen in this country.

We heard of his death as we should have received the intelligence of a national calamity.

The shock was like that we should experience if we stood by and witnessed the fall of a castle, from whose battlements banners had been flung out, and through whose embrasures artillery had thundered, and at whose base the proudest armaments had perished.

His last days exhibited all the serene grandeur of his nature. His soul, turning away from the world and its objects, fixed its gaze upon the illimitable future, which spread before it like a shoreless ocean, upon whose tranquil waters the Star of Bethlehem threw its tremulous and unearthly lustre.

His hand recorded his clear and emphatic confession of faith in the Redeemer, and in the divine inspiration of the Gospel.

Those last days, what a glory streams through them—glory not without its shadows!

The last hours of the life of the dying statesman resembled a gorgeous sunset; not the going down of a tropical sun in unclouded splendor, but the sun sinking behind the Alps, kindling upon every mountain peak a blaze of glory, and pouring a flood of golden light upon the clouds which hung their solemn drapery about his dying couch.

WOMAN—HER TRUE SPHERE.

AN ADDRESS DELIVERED AT THE COMMENCEMENT OF LA GRANGE FEMALE COLLEGE, LA GRANGE, GEORGIA, JULY 12th, 1854.

IN all the visible universe, crowded as it is with an endless variety of objects, there reigns every where an unbroken harmony. An unseen law stretches its resistless dominion throughout its boundless extent, and every thing obeys it—the smallest and the greatest; the flower which, with fragile stem, lifts its head to greet the light, and the constellations which move in their brilliant and illimitable courses through the heavens.

“There is one glory of the sun, and another glory of the moon, and another glory of the stars, for one star differeth from another star in glory.”

The sun drives his chariot of flame up the steep of heaven and down its western slope; the moon floats through the serene sky in tranquil majesty, and the splendid constellations rule the night; yet every where, from the northern to the southern pole, there is no sound of discord, but all things display a blended power and wisdom, which we see with wonder and adoration, and, adding our voices to swell the mighty anthem which Nature utters, in tones which reach the throne of God, we exclaim, “All thy works praise Thee.”

So, too, in the elements which seem to strive with each other—they are made to contribute to the hap-

pineness of man and the beauty of the universe. The ocean, in its sublimity, dashes against its barriers, and threatens to submerge the world; but it has its appointed bounds that it can not pass; its proud waves are stayed by a silent, but all-pervading and resistless power; and the winds, which swell into tempests, would spread desolation over the earth if they were not restrained by that Almighty hand which guides and sustains all things.

All the works of God, so far as we can see them, display *order* and *adaptation*. If we could stand with Uriel in the sun, and look out upon the universe, we should see its order and its beauty, and the ear would catch the notes of the great hymn of praise which, from all the spheres, floats upward to the Creator.

Even in this world of ours all sights and all sounds are made to blend in harmony. Standing upon the mountains of Switzerland, the traveler sees spread out before him a wide landscape of wonderful beauty: mountain peaks against the sky, the luminous clouds, the wild torrents, the picturesque cottages, the awful frown of Mont Blanc, covered with everlasting snow, and all the varied objects which come within the range of vision, are blended into one picture; while the sounds which greet the ear—the song of the Swiss girl, the wild call of the peasant as he shouts to his flocks, or sings that song so dear to every exile from his country, no matter where he hears it, “*Ranz des vaches*”—all are blended in sweetness, and captivate the soul.

The very soul of the universe is harmony.

Throughout the whole circle of created beings there is an endless diversity, and yet an unbroken order. If we ascend to the shining ranks of angelic hosts, we find that the same great law prevails. There are angels that excel in strength, and there is a gradation visible in the glorious forms which are marshaled, tier above tier, about the everlasting throne, from Michael, "of celestial armies prince," and Gabriel, "in military prowess next," and Uriel, who, seated in the sun, sees the whole circle of created worlds, down to the humblest worshiper in the whole court of Heaven; for

"Order is Heaven's first law, and this confess'd,
Some are, and must be, greater than the rest."

It is the beautiful assurance of revelation that God created man in his own image. He invested him with dominion over all terrestrial things. Having made him a little lower than the angels, he crowned him with glory and honor.

Not silently and darkly did man rise up into being, like the beasts, deriving their life from the earth, but he was created directly by the power of God, in the midst of adoring hosts of attendant angels, who filled the whole circle of the heavens, to witness the introduction into the ranks of intelligent and immortal beings of MAN.

Peerless he stood and surveyed the young world, glowing in the freshness and verdure of the morning of creation. His dominion embraced the round world, and he was without a rival in his extended empire.

Then, because it was not good for man to be alone,

woman was created, the elements of her being derived from him, and she was given to him as a companion. Up to that moment even Paradise was a solitude.

“In vain the viewless seraph, lingering there
At starry midnight, charm'd the silent air;
In vain the wild bird carol'd on the steep,
To hail the sun slow wheeling from the deep;
In vain, to soothe the solitary shade,
Aerial notes in mingling measure played—
The summer wind, that shook the spangled tree;
The whispering wave, the murmur of the bee—
Still slowly passed the melancholy day,
And still the stranger wist not where to stray:
The world was sad! the garden was a wild!
And man, the hermit, sighed till woman smiled.”

Yet, although the world was sad, and even Paradise a wild until woman appeared in its green depths and scented bowers, still, upon her coming, the same great law which the universe had hitherto displayed—the law of order and of harmony—was recognized in the relations which the two newly-created beings bore to each other. The whole structure of man—the qualities of his body and of his mind—differed from those displayed by woman.

Nor was the dominion of man disputed by his new companion and friend; for while he bore rule still in the midst of the world which lay subject to him, she acknowledged his authority, looked up to him for protection, and gently rested her head, clustering with curls, upon his broad, firm breast.

Milton's description of Adam and Eve, as they walked in Paradise, is exquisitely beautiful, and it discloses the just and true relation which should, in all time, exist between two beings whom God has

formed to be companions through this earthly pilgrimage.

“Two of far nobler shape, erect and tall,
 Godlike erect, with native honor clad
 In naked majesty, seem'd lords of all,
 And worthy seem'd; for in their looks divine
 The image of their glorious Maker shone—
 Truth, wisdom, sanctitude severe and pure
 (Severe, but in true filial wisdom placed)—
 Whence true authority in men; though both
 Not equal, as their sex not equal seem'd :
 For contemplation he and valor form'd ;
 For softness she, and sweet attractive grace ;
 He for God only, she for God in him :
 His fair, large front, and eye sublime, declared
 Absolute rule ; and hyacinthine locks
 Round from his parted forelock manly hung
 Clustering, but not beneath his shoulders broad ;
 She, as a veil, down to the slender waist,
 Her unadorned golden tresses wore
 Dishevel'd, but in wanton ringlets waved
 As the vine curls her tendrils ; which implied
 Subjection, but required with gentle sway,
 And by her yielded, by him best received ;
 Yielded with coy submission, modest pride,
 And sweet, reluctant, amorous delay.”

The sphere of man is widely different from that of woman, and there can be no rivalry between two beings formed with faculties so diverse and for objects so dissimilar.

There have been instances in the history of our race of men who have lost all manliness, and resigned themselves to effeminate pursuits—men who, shrinking from the stern duties of life, have regarded its great tasks with as much aversion as the king's messenger, sent to demand Hotspur's prisoners, did the rough and perilous scenes of the battle-field—men who, forgetting the true dignity of manhood,

take no part in the mighty achievements of the brave world about us, but

“ They caper nimbly in a lady’s chamber
To the lascivious pleasing of a lute.”

And there have been women who have lost all the gentle and attractive grace of their sex, and, pressing into the empire which belongs exclusively to man, have disputed the dominion of the world with him. It is but rarely that such instances fail to disgust us. We expect to see every man *manly*, and every woman *womanly*.

Paris, when compared with Hector, sinks into contempt—flying from the battle-field to the arms of Helen, he rests ingloriously, while the helmet of Hector blazes in the serried ranks of war, and his dread spear drives back the invading Greeks—while Joan of Arc, with her splendid qualities and heroic virtue, leading the marshaled hosts of France from victory to victory, until she planted the drooping lilies of her country over fortresses and cities wrested from the English troops, is less lovely in our eyes than the gentle maiden who follows in the red path of battle only to stanch the wound of the dying soldier, and to hold the cup of water to his parched lips.

Man is formed for great exploits. It is his task to scale the mountain heights, to traverse continents, to explore the wide seas, to build cities, to fell forests, to contend with wild beasts, and redeem the earth from their incursions; to sow the seed and gather harvests; to stand in battle, to lead armies; to preach the everlasting Gospel, and to guide all public affairs. These tasks become a man.

But woman's sphere is widely different. It is hers to shed around *home* those dear delights which she alone can impart to it; to cheer hours which, without her presence, would be lonely or sad; to encourage all the virtues; to walk by the side of man, as an angel in the wilderness, guiding him to celestial realms; and to illustrate all the charities of life by her sweet example.

The harmony which we see every where in the universe is still undisturbed by the delightful intercourse between two beings so closely allied, and yet so unlike.

We do not expect to find in woman the sublime qualities which belong to man—those qualities which entitle him to absolute rule; but her loveliness is none the less for the want of them. In that splendid picture which is so vividly sketched in *Ivanhoe*, when Richard Cœur de Lion attacks the castle of Front de Bœuf, our admiration is divided between the Black Knight, who thunders with his ponderous battle-axe against the gates, heedless of the missiles showered upon his head from the defenders on the walls, and the gentle Rebecca, who, looking through the lattice with blanched cheek, describes the wavering fortunes of the battle to the wounded *Ivanhoe*, who is unable to rise from his couch.

In the sacred history which records the early events of the world, we read with admiration the account that is given of the heroic courage of Moses. The great leader of the hosts of Israel, when the cry rose in all the ranks that the Egyptians were pursuing, exclaimed, in tones that were heard above the confu-

sion and noise of the panic-stricken people—above the rush of the impetuous army marching down upon them—above the roar of the sea upon whose margin they stood, “STAND STILL AND SEE THE SALVATION OF GOD!” It was Moses who, after conducting the tribes through the waters which stood up on either side as a wall, stretched forth that potent rod whose awful sweep brought back the wild and surging billows over the army of Pharaoh; but it was Miriam who took a timbrel in her hand, and invited the beautiful women of Israel to follow her with timbrels and dances; and all joined in that grand song of triumph which swelled in tones of majestic sweetness over the rolling sea, “Sing ye to the Lord, for He hath triumphed gloriously; the horse and his rider hath He thrown into the sea.”

It was David whose prowess slew the haughty champion who defied the armies of Israel, but it was the *women* of Israel who came out from all the cities, singing and dancing, to meet him, with tabrets, with joy, and with instruments of music.

It is becoming in man to achieve victories, it is becoming in woman to celebrate them.

In the magnificent description of the royal Psalmist, the sun is compared to a bridegroom coming out of his chamber, and rejoicing as a strong man to run a race.

Thomson, in that poem which will live as long as the Seasons which he describes continue to visit the earth with flowers, and fruits, and golden harvests in their train, says of the rising sun,

“But yonder comes the powerful king of day,
Rejoicing in the east.”

Edmund Burke, in his description of the unfortunate Maria Antoinette, says :

“It is now sixteen or seventeen years since I saw the Queen of France, then the Dauphiness, at Versailles, and surely never lighted on this orb, which she hardly seemed to touch, a more delightful vision. I saw her just above the horizon, decorating and cheering the elevated sphere she just began to move in, glittering like the morning star, full of life, and splendor, and joy.”

No comparisons can be more felicitous than these; for, independent of their beauty, they illustrate the qualities which distinguish the sexes. Man is the sun, in his strength and splendor; woman the morning star, glittering in pure and tranquil beauty.

Nor is this endless diversity and this all-pervading harmony which we see in the universe without design. It is a *law* of the universe. We read it in the sublime scenery of the heavens in which the great constellations run their courses—where Arcturus and his sons exhibit their nightly splendors, and Orion leads up his burning hosts, and the Pleiades shed their sweet influences, and Mazzaroth marshals his glorious stars over the southern pole; and we trace it in the violet that springs up in the depths of the forest, and in the fragile flower that blooms in exquisite beauty in the very verge of the crater of the volcano, as if planted there to teach the adventurous traveler who explores the wild scenery that God's dominion is every where.

Not only in the visible universe, but in the *spiritual* world does this law prevail, binding systems in

unbroken order, and keeping all intelligent beings in subjection to the ordinances of the Most High.

It is a glorious thought, that every where throughout the extended universe, where the remotest world gleams like a pale star upon the farthest horizon, and out upon the wide seas ever heaving against the poles; in the untrodden solitudes of the wilderness, and in all the ranks of living beings, from thrones and dominions in heaven down to the fallen spirits whose unblessed feet tread the burning marl of the infernal regions, we can still trace the great law of order which binds all things and preserves all things in unbroken harmony.

Woman in her sphere, moving in willing and beautiful accord with this law, is one of the loveliest objects which the universe presents; and while she seems only to adorn the career of man as a subject of his empire, her gentle dominion is as wide, and her sway as absolute, if not as imperious, as that of man. In all times, ancient and modern, she has been the cherished object of affection. Her part in the history of our race has been at once momentous, sad, and glorious.

She first plucked the fruit

“Of that forbidden tree, whose mortal taste
Brought death into the world, and all our wo,
With loss of Eden.”

Our great sire was not deceived; but Eve, being tempted, transgressed, and Adam, from boundless affection for her, took the forbidden fruit from her hands.

But it was a woman, too, a virgin of innocence

and beauty, who was the mother of our Lord, whose all-conquering arm brought us salvation, and rescued us from the ruin into which our race was plunged by that first fatal step.

Let not woman be reproached with her first fault without we, at the same time, recall that virgin mother. Place the two pictures side by side; compare Eve, with wandering steps and slow, quitting Paradise, and looking back, with tearful eyes, to that once happy seat, with Mary, lifting her meek and glowing face toward heaven, and exclaiming,

“My soul doth magnify the Lord, and my spirit hath rejoiced in God my Savior;

“For he hath regarded the low estate of his handmaiden: for behold, from henceforth all generations shall call me blessed.”

Since that hour when the blessed Virgin sang that sweet song of joyful and grateful adoration, the whole world of love and beauty has acknowledged her dominion. The true estimate of woman was unknown before. Up to that hour, the homage paid by man to the other sex was the wild passion which reveled in voluptuous delights, and which was symbolized in the form of Venus rising from the placid waters to rule the realm of love.

Beautiful but sensual, that type of passion is still to be seen as the ancient mythology produced it; the naked form of the Venus de Medici still lives in marble as the chisel of the sculptor traced it in lines of classic and immortal grace.

That symbol, beautiful as it is, represents the dominion of woman over the senses, but does not sug-

gest the tenderness and purity of love in its true power.

Even in the wild extravagance of the days of chivalry there was a refining influence in the adoration of the knight for his lady-love: it impelled him to noble deeds; he wore in his helmet some slight memorial of her regard, and sought glory in the fierce battles of the times, that she might hear his praises sung.

This devoted and noble attachment to woman was uttered in songs of wild and romantic beauty, and the whole picture wears a golden haze, which reveals nothing gross or revolting.

From the hour when the Christian system began to gild the world with its rising light, and to purify the heart by its refining influence, a true regard for woman—for her person and her character—has been manifested.

Now, the ideal of female beauty is no longer personified in the faultless form of *Venus*, but we turn to the lovely *Virgin* dwelling amid the hills of Judea, and recognize *her* as supreme in the realm of woman. Turning away from the graceful form of the ancient Queen of Love in faultless marble, we fix our eyes, swimming in tears, upon some picture of Raphael which represents the Virgin Mother, her face full of deep spiritual meaning, as if she would read the future and learn the destiny of that wonderful Child set for the fall and rising again of many in Israel.

How immeasurably does the Christian impersonation of beauty surpass that which is presented to us in the highest type of loveliness which genius could

produce under the inspiration of mythology! Woman is now regarded as an immortal being; she is to tread the path of life by the side of man, his truest friend in his earthly pilgrimage, cheering the darkest hours with her tender sympathy, and shedding a brighter lustre over his happier ones by sharing his bliss.

It is as a *wife* and a *mother* that woman is now to display her noblest qualities; and her ambition—if we may give this name to her desire to excel—must not seek its gratification in the great world, but must be content with the quiet but hallowed compass of *home*. There she moves—a light, a blessing, and a glory; and she reconstructs for man a new Paradise on earth, brighter and happier than the Eden which she lost for him. Man, expelled from the bowers of the eastern garden by the fault of woman, finds in a home lighted by her love Paradise regained.

It is not because she is inferior to man that woman is to take no part in the great affairs of life, but it is because she is far more beautiful in her own empire than she could be by quitting it to mingle in scenes which would unfit her for the gentler duties and those lovely offices which not even an angel could perform so well. In her own orbit she is peerless, and amid the sanctities of home she shines with her true lustre. Capricious as she sometimes is in the world, and moving in the circles of fashion, she reveals in the chamber of suffering the true qualities of her nature.

“O woman! in our hours of ease,
Uncertain, coy, and hard to please,

And variable as the shade
By the light, quivering aspen made—
When pain and anguish wring the brow,
A ministering angel thou !”

Sir Walter Scott pays this tribute to Clara de Clare, as she stoops to hold to the lips of the wounded Marmion the water borne by her in the baron's casque to slake his thirst. Brought by his attendants to the spot where the captive maiden was detained to await the issue of that bloody fight of Floddenfield, she forgets all wrongs, and hastens to relieve the dying man.

The picture is as full of truth as it is of beauty.

Elizabeth ruled her realm with extraordinary success ; her genius and capacity excited universal admiration. During her reign the power and the glory of England grew into the grandest proportions, and the diadem which encircled her brow shone with the greatest splendor. Mounted on a splendid horse, and riding at the head of an immense concourse of her subjects through the streets of London, to offer up thanks in the great Protestant Cathedral of Saint Paul's for the destruction of the Spanish Armada, she was a splendid spectacle—a magnificent impersonation of regal power ; but who does not really feel a deeper and tenderer interest in the fortunes of the beautiful Mary Queen of Scots sighing in captivity, or even in those of the humbler and less cultivated Amy Robsart, the daughter of an obscure Devonshire gentleman, who lost her life in her eagerness to greet the Earl of Leicester as he rode by the side of his royal mistress at the castle of Kenilworth ?

The reigning Queen of England interests us far

more as a wife and a mother than as a sovereign; for while she commits the fortunes of that empire—so boundless that the sun never sets upon it—to her ministers, she herself rears her children, who cluster about her with all the fond affection which we should look for in an humble cottage home. Victoria, seated upon the throne in the House of Lords, and reading her royal speech upon the opening of Parliament, surrounded by all that is gorgeous in the British empire—the lords, the commons, the great officers of the realm, foreign ambassadors, and a vast assemblage of ladies of rank, all in the richest and most splendid costume—is merely a brilliant pageant; but in the inner apartments of Windsor Castle, that superb country seat, unrivaled by any royal palace in the world, she is a woman, a wife, and a mother, the centre of a family group, and performing offices at once the most beautiful which this world ever presents, and so closely connected with a future life that the light of immortality lends its sublime coloring to the picture.

This, then, is woman's true empire. Her authority is maintained, not by sword and spear, but by all the sweet and attractive graces which constitute the art of pleasing.

The *person*, the *mind*, and the *heart* must all receive attention, if she would make her rule lasting in her own dominion.

She does not compel, but she attracts. We resist her authority when she seems to demand our homage, but we yield a willing obedience to her sway when she binds us by the affections.

Cleopatra captivated Julius Cæsar when she was but twenty years of age, and she held Marc Antony in inglorious bondage at twenty-five. But does any one imagine that Cæsar, the noblest Roman of them all, was attracted by the mere personal beauty of the youthful Queen of Egypt?

He was remarkable for the vigor of his mind and the manliness of his character; he marched at the head of his legions to the most distant and inhospitable countries, and while his secretaries were borne on litters, he rode on horseback; the rains of Gaul did not interrupt his marches, nor did angry streams impede him; he bore the eagles of his country in triumph over all enemies, whether cultivated or barbarian; and he recorded the progress of his arms in a style so beautiful, that his commentaries are still read for their classic elegance. His ambition was boundless; and though his person was tall and slender, and appeared to be incapable of great exertions, he displayed extraordinary energy. He blended strength and elegance in a remarkable degree.

Yet it is quite authentic that he could not resist the fascination of Cleopatra, but for a time yielded himself to her charms.

Five years later, Antony, being in the East, saw Cleopatra, and surrendered himself to her completely. In his wild passion, Rome, Octavia, and glory were all forgotten, and at her feet he lay down his share in that powerful triumvirate which held the majestic world in subjection. In her presence his characteristic energy was lost, and his conquering legions, ready for battle and victory, lay in inglorious idle-

ness, while he, their leader, bound by a spell which he could not break, passed his time in the gilded apartments of the Queen of Egypt.

No mere personal beauty could have effected such conquests as these. Cleopatra possessed far higher charms than mere grace of person. She is described in history as possessing an infinite variety of accomplishments—the rarest literary acquirements, a knowledge of languages only equaled in ancient times by that attributed to Mithridates, the marvelous king of Pontus, the finest taste in the arts, an unexplainable grace in her manners, the most bewitching powers of conversation, and a tone of voice which made those powers irresistible. There was a wonderful fascination in the tone of her voice, and there was about her an Oriental voluptuousness and an irresistible grace; but without her mental accomplishments, her brilliant conversation, her noble spirit, the grandeur of her character, and her fascinating manners, she would never have been the enchantress she was, bringing to her feet the proudest rulers of the world, and holding in subjection such men as Cæsar, with his soaring ambition and powerful intellect, and Antony, renowned for his valor and his eloquence.

Her death was characteristic: with no religion to sustain her but that of the Egyptians, which threw a voluptuous elegance over life, and gave the fullest license to the senses, she resolved to die rather than grace the triumphal train of Octavius. Adorned in her richest robes, the body of the dead Antony by her side on a golden couch, anointing herself with costly perfumes, the diadem of Egypt encircling her

brow, she applied the asp to her veins, and sunk into languor, forgetfulness, and death.

Beauty is always attractive; but no woman who aspires to a lasting dominion, either over the great world, or, which is far better, over a single heart, ought to trust to personal charms.

Even while they bloom, though it be in peerless splendor, they are less potent than the sweet spirit of a true woman beaming from her eyes, and a cultivated mind revealing its treasures in conversation. Such a woman wakes the soul within us, and binds us by a fascination which far transcends the strength of mere passion kindled by beauty. An intellectual, cultivated woman, of sweet temper, will hold us in pleasing bonds long after the decline of her personal charms, and we might address her in those lines of exquisite tenderness and beauty,

“Thou wouldst still be adored, as this moment thou art,
Let thy loveliness fade as it will,
And round the dear ruin each wish of my heart
Would twine itself verdantly still.”

The first great element which we desire to see in female character is virtuous principle; not a mere disposition to conform to conventional requirements, but a heart really pure and fond of goodness. Without this, no beauty, no intellectual cultivation, no accomplishments, can make a woman really lovely. It is this property which

“Gives to woman every tender grace,
The smile of angels to a mortal face.”

In this world, so full of vicissitude, and over whose expanding scenes the clouds of the future,

darker or brighter, will rise, there is much to try us; and in seeking a gentle friend to tread the rough pilgrimage of life by our side, we wish to find in her a sweetness of temper which nothing can disturb, and a cheerful spirit which flings its smile over the shadows of life, and if it can not disperse, at least gilds them.

Philosophy will not do; intellectual resources will fail; books will open their pages to us in vain; music will lose its charms; amusements will cease to attract us; and even society may no longer interest us; but we can still turn to the angel of our home, and find in her beaming and happy face a solace for all our disappointments in the rough, wide, and heartless world.

The religion of our Lord and Savior Jesus Christ is essential to the perfection of female character: it is the only resource which the ills of life can not exhaust.

Charity never faileth.

An infidel of our own sex is odious enough; a woman who rejects Christianity is an object of unmixed and unmeasured aversion.

It is her task to train her children, to fit them for this life and for that which is to come, and to cheer her husband when cares press upon him; and this she can not do unless, like Hope, she leans upon an anchor which never gives way.

Such, young ladies, are our views of woman.

One of the most promising signs of the times in which we live is the extraordinary attention paid to the education of your sex. Such institutions as this

are glorious exponents of the progress of the nineteenth century. Here woman moves in her true sphere, and her influence over the great social life which our country exhibits is powerful.

When in Europe, we saw gorgeous palaces, and great schools of art, and noble monuments commemorating battles which have decided the fortunes of the world, and an endless variety of objects of interest, but nowhere did we see any thing more beautiful than this spectacle which we witness to-day.

In this country all the material elements abound, and we shall yet excel in the arts which give such a charm to life. In all that is grand, and beautiful, and truly great, we shall steadily grow, until we attain the highest civilization which the world has ever produced. It should be our aim so to train our sons and our daughters in this great republic that they may be worthy of the grand destiny which opens before them in the boundless future. Some of you are about to take leave of this institution. Go forth as ministering angels; make the world better and happier as you pass along through it. So far you have been engaged in the work of preparation, but real life now opens before you. No one can read the future: there is no astrologer at hand to consult the starlit heavens and reveal your destiny. This is wisely ordered: we are taught to trust to the guidance of an invisible hand. There are all about us influences which act upon us in life: we can only resolve to do our duty, and commit our fortunes to the Deity. Exclude from your minds the doctrine of chance; adhere firmly to principle, and in this well-

ordered universe you will find that you tread life's paths safely; the ground beneath your feet will be firm, and the heavens above will light you on your way.

Be cheerful, that you may be happy, and contribute to the happiness of others; but regard life seriously, as the field of duty and the scene of preparation for heaven.

One of the most gifted of your own sex, Madam de Staël, in her work on Germany, says, "If we examine the course of human destiny, we shall see that levity conducts to all that is bad in the world. It is only in infancy that levity charms: it seems that the Creator yet leads the infant by the hand, and aids it to enter gently upon the clouds of life. But when time delivers the man to himself, it is only in seriousness of soul that he finds thoughts, sentiments, and virtues."

Be true to yourselves. Modern civilization, with all its ameliorations, has a tendency to give too much consideration to wealth. Advantages in life are not to be overlooked, and in forming lasting engagements prudence ought to be regarded. But woman should never sacrifice herself, nor permit others to sacrifice her, for money. Noble qualities, a cultivated intellect, and a great soul, are worth more than all the money the world ever produced.

Riches take wings, and often leave their possessor to sink as Icarus did when his waxen pinions melted in the sun; but a true man continues to grow in public consideration and in real worth, rising from poverty and obscurity to the highest stations in life.

And now, young ladies, I must take leave of you.
It may be said of you, as it was of our first parents,

“The world is all before you, where to choose
Your place of rest, and Providence your guide.”

May the world be bright before you, and your steps, as they advance in its paths, be guided by Providence gently and safely, so that you may come, when your earthly pilgrimage is ended, to that glorious city where there is no need of the sun by day, nor of the moon by night, but the Lord God himself lights it up with his own everlasting splendor.

I I

THE END.

